

RO0939

[REDACTED]

From: [REDACTED]
Sent: 11 January 2022 16:57
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

I fully agree, support and endorse the comments made about the Local Plan by RAFFD and GRAG.

Mr Thomas Jones,
2 Peebles Close,
Garswood,
Ashton-In-Makerfield,
WN4 0SP

Sent from my iPhone

R00941

[REDACTED]

From: Councillor Allan Jones
Sent: 07 January 2022 07:02
To: planningpolicy@sthelens.gov.uk
Cc: [REDACTED]
Subject: ST. HELENS MBC LOCAL PLAN CONSULTATION PERIOD

TO WHOM IT MAY CONCERN

I write in expectation that this email will be considered as part of the Consultation in respect of the St Helens MBC Local Plan.

I am an elected Councilor on St Helens Council representing the Ward of Rainford and I did send in an email to the first Consultation earlier in the project. I therefore would point out that this email does, in the main refer to the plot of land earmarked for removal from Green Belt (for house building) within Rainford. I would stress that these are my own views but are shared by a good many residents of Rainford. While I am sure that the points I made in my previous email were carefully considered at the time and also when I made them at a virtual hearing of the Plan, I feel I must ask for those points to be reconsidered as building on the site ear marked in Rainford will bring total chaos to both roads and services alike around the village.

I will now try to explain and put forward points I feel that need to be reconsidered.

The land in question (corner of Rookery Lane and Higher Lane) is prime agricultural land and is much needed for the growing of vegetables now we have left the EU (this area of land can produce two or three crops per year).

If over two hundred houses were to be built on this site, they would no doubt be occupied by families with at least two cars per household and no doubt there could be at least two wage earners in each house. This would result in several hundred vehicles leaving the site each morning and returning each evening. These would be leaving via Rookery Lane and Higher Lane with most filtering on to the Rainford By-pass via two junctions. One of those junctions (at Mill Lane) is now considered to be an accident black spot with several serious accidents (including fatalities) taking place during 2021. There is no doubt that this would create chaos to that area of the village.

Quite a lot of Rainford is part of a flood plain and this area is alongside one of the more serious areas of flooding. When there is heavy rain, floods come down from behind the houses on that part of Higher Lane, flooding the road and then soaking into the earmarked site. If this site was to be concreted over for house building, there would be nowhere for the water to drain and serious flooding would occur.

With several hundred people being added to the population there will also be a lot more children added to the population and this will mean an expansion of schooling facilities. On the sites of the three primary schools in Rainford there is no room for expansion therefore there may be a requirement for a new primary school in Rainford. Where would this be located? The High School would be able to expand in terms of area but it already one of the largest schools (by student numbers) in the Borough.

Doctors' surgeries would also have to expand or be added to, we are finding that it is already proving difficult to find permanent GPs to fill vacancies at the existing surgeries, so to take on more doctors or start a new practice will prove difficult.

Since the start of the Local Plan thinking, much more "Brown field" in St Helens has been found and allocated, there is much more available around the Borough but this has been rejected by the Council as being contaminated land. At the recent Budget the Government made available millions of pounds to decontaminate Brown Field sites in order to preserve Green Belt Land, Council and builders could apply for some of that money to decontaminate land in the Borough therefore making more Brown Field sites available. This would go a long way to giving credibility to the Council's building policy of "Brown Field First"

There are those on the Council who feel that the objections the people of Rainford are making are based on the NIMBY attitude. I wish to say that nothing could be further from the truth. As evidence of this, there is now building taking place on a brown field site in Rainford (Lords Fold). What people in Rainford will support is the building of the right houses (affordable) on the right sites. It is generally considered that the Rookery Drive/Higher Lane site is not suitable for building on as it will create the chaos I have mentioned.

It is generally thought by Rainford residents that the site in question is the wrong site in the wrong place. If Green Belt land must be built on, then a much better site would be that which is called "The Triangle". This is a plot of land in the centre of the triangle between the Rainford Bypass, Ormskirk Road and Dairy Farm Road.

The main advantage to this land is that there is direct access onto the Rainford Bypass which would be much safer for cars etc entering and leaving the new site.

This site was rejected by the Council because it was said it would join up the two Communities of Rainford (the Village and the North End) the point here is that Rainford is NOT two Communities it is one and so that point is not valid.

I trust you will consider the points I have made when the subject comes up for final consideration

Kind Regards.

ALLAN

Councillor Allan Jones
Rainford Ward Councillor
St. Helens M.B.C.

R00945

(No subject)

Label: 2 Year Email Retain and Delete (2 years) Expires: Sat 13/01/2024 16:01

GJ **gareth jones** [REDACTED]
Thu 13/01/2022 16:01
To: planningpolicy@sthelens.gov.uk



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Dear Sir,

Please be aware that I support very strongly and totally all the comments expressed by both RAFFD and GRAG respectively regarding the Local Plan and its implications for Garswood.

Sincerely yours,

Gareth Jones,
9 Thornhill Road,
Garswood,
WN4 0SW

Sent from [Mail](#) for Windows

[Reply](#) | [Forward](#)

RO1006

From: Hale, Graham [REDACTED]
Sent: 13 January 2022 14:47
To: planningpolicy@sthelens.gov.uk; Lucy O'Doherty
Cc: Anna McComb; James Bray; Ricky Ching; Shannon, Peter
Subject: St Helens Borough Local Plan Main Modifications Consultation - Representations on behalf of the Department of Health & Social Care (DHSC)
Attachments: 13 01 2022 St Helens Local Plan Representation Form V6.pdf

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Dear [REDACTED] and Local Planning Policy Team,

Further to my phone call last evening, we are acting on behalf of the Department of Health & Social Care (DHSC) relating to the safeguarded land - 3HS Former Eccleston Park Golf Club, Rainhill Road, Eccleston. We previously submitted representations for the Submission Draft Local Plan stage.

Please find attached a representations form on the current Local Plan Main Modifications consultation on behalf of the DHSC relating to 3HS Former Eccleston Park Golf Club.

I trust this is satisfactorily registered as a duly made representation within the consultation deadline.

Regards,

Graham Hale BA (Hons), MSc, MRTPI
Associate Planner

TETRA TECH
Lakeland Business Park, Lamplugh Road, Cockermouth, Cumbria, CA13 0QT

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Mob: [REDACTED]
tetratecheurope.com

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Registered Office: 3 Sovereign Square, Sovereign Street, Leeds LS1 4ER VAT No: 431-0326-08.



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**St Helens Borough Local Plan 2020-2035 (Submission Draft)
Proposed Main Modifications Consultation
Response Form**

Ref:

(For official use only)

Please ensure the form is returned to us **by no later than 5pm on Thursday 13th January 2022**. **Any comments received after this deadline cannot be accepted.**

This form has two parts;

Part A – Personal Details

Part B – Your Representation(s).

PART A – YOUR DETAILS

Please note that you must complete Parts A and B of this form.

1. Your Details	2. Your Agent's Details (if applicable) (we will correspond via your agent)
Title: Ms	Title: Mr
First Name: Jackie	First name: Graham
Last Name: Kirkman	Last Name: Hale
Organisation/company: Property Surveyor, Company Management Branch, Commercial Directorate, Finance & Group Operations, Department of Health & Social Care	Organisation/company: Associate Tetra Tech Planning
Address: Room 2S25 Quarry House Quarry Hill Leeds	Address: Lakeland Business Park, Lamplugh Road, Cockermouth, Cumbria.
Postcode: LS2 7UE	Postcode: CA13 0QT
Tel No: see Agent	Tel No: [REDACTED]
Mobile No: see Agent	Mobile No: [REDACTED]
Email: see Agent	Email: [REDACTED]

Signature:

[REDACTED]

Date:

13/01/2022

Please be aware that anonymous forms cannot be accepted and that in order for your comments to be considered you **MUST** include your details above.

3. Would you like to be kept updated of future stages of the St Helens Borough Local Plan 2020-2035? (Namely publication of the Inspectors' recommendations in their Final Report and then adoption of the Plan)

Yes (Via Email)

No

Please note - e-mail is the Council's preferred method of communication. If no e-mail address is provided, we will contact you by your postal address.

RETURN DETAILS

Please return your completed form to us **by no later than 5pm on Thursday 13th January 2022** by:

post to: **Freepost LOCAL PLAN,
St Helens Borough Council,
St. Helens Town Hall,
Victoria Square,
St Helens,
WA10 1HP**

or e-mail to: planningpolicy@sthelens.gov.uk

Please note we are unable to accept faxed copies of this form.

FURTHER INFORMATION

If you need assistance, you can contact us via:

Email: planningpolicy@sthelens.gov.uk
Telephone: 01744 676190

NEXT STEPS

All representations received within the representations period, will be passed on to the appointed Local Plan Inspectors, who will consider and use them to inform their final conclusions on the Local Plan Examination.

DATA PROTECTION

Please note that all representations received within the consultation period will be made public and passed on to the Planning Inspectors. This will include the names and addresses of representors being made public, although other personal details will remain confidential. Further clarity on this is available on the Local Plan Privacy Notice available on the Local Plan webpage (address below). The Council is unable to accept anonymous or confidential representations.

We process personal data as part of our public task to prepare a Local Plan, and will retain this in line with our Information and Records Management Policy. For more information on what we do and on your rights please see the data protection information on our website at www.sthelens.gov.uk/localplan.

Now please complete PART B of this form, setting out your representation/comment.

Please use a separate copy of Part B for each separate comment/representation.

PART B – YOUR REPRESENTATION

Please use a separate form Part B for each representation, and supply together with Part A so we know who has made the comment.

4. Which Main Modification does this representation relate to?

Main Modification Reference Number **MM011**

5a. Do you consider that this proposed Main Modification is legally compliant?

Yes

No

Please tick as appropriate

5b. Do you consider that this proposed Main Modification is 'sound' (in accordance with the definition in the National Planning Policy Framework)?

Yes

No

Please tick as appropriate

6. Please provide a reason for your response to questions 5a and 5b above.

Paragraph 35 of the NPPF sets out the tests as to whether Local Plan preparation has been 'sound'. These tests are that Local Plans should be:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

We had made objections on behalf of the Department of Health & Social Care (DHSC) to the Submission Draft Local Plan consultation relating to Table 4.7 – 3HS Former Ecclestone Park Golf Club, Rainhill Road, Ecclestone on the grounds that we considered that the site should be allocated for residential development in the proposed Local Plan period 2020-2037, rather than being identified as 'Safeguarded Land' under Policy LPA06.

On behalf of the DHSC, we acknowledge that the Proposed Modification **MM011** to **Policy LPA06: 'Safeguarded Land'**, would allow the Council to proceed to allocate residential sites identified in Table 4.8 (and includes site reference 3HS: Former Ecclestone Park Golf Club, Rainhill Road, Ecclestone) for development as part of a Local Plan update. MM011 states that the Council may undertake and bring into effect a Local Plan update (either partial or full) within the proposed plan period of 2020-2037, should this be required and justified by the latest evidence.

These are considered welcome steps, as it would give some limited degree of enhanced flexibility as to when the site could come forward for development within the plan period 2020-2037. However, the Proposed Main Modifications do not go far enough because to bring site 3HS forward for development would depend upon an early review of the Local Plan, which in our opinion would be extremely time consuming, costly and is not something that Local Planning Authorities is likely to enter into easily, and it would create uncertainty.

Hence, our original representations made on the Submissions Draft Local Plan that the site should be allocated in the proposed Local Plan period 2020-2037 remains valid. We therefore consider the proposed Main Modification MM011 relating to 3HS Former Eccleston Park Golf Club, Rainhill Road, Eccleston fails the test of 'soundness' as it is not justified (b above) in accordance with the tests in the NPPF, for reasons set out below.

It is disappointing that our original representations made on the Draft Submission Local Plan in March 2019 do not appear to have been fully taken forward by the Planning Inspector for the Examination-in-Public. In this regard, it would appear that the Inspector has agreed with St Helen's Council reasoning in response to the Inspector's initial questions that there are site constraints that would reduce the overall net developable area, which is why the Council did not carry out further work in relation to understanding the impacts of the loss of the golf course. The Council stated in their response that they had reflected on these constraints and a reduced housing need for the Borough. This meant that they revised their conclusions and proposed to safeguard site 3HS for future development to enable further assessment work to be undertaken, rather than allocate it in this Plan. It is noted that Sport England (RO1788) did not submit any objections in relation to the safeguarding of site 3HS.

We note that proposed paragraph 4.24.2 of Proposed Main Modifications MM011 states that the basis for allocation is likely to be informed by the level of need for housing and / or employment development (whichever use is identified for the specific site) compared to site supply, infrastructure capacity and needs and any other factors that may affect the delivery of the sites at that time.

We also note furthermore that MM011 proposes to introduce a new paragraph 4.24.12, which would state:

"The Green Belt Review (2018) found the parcel of land that generally reflects the boundary of this site to make a 'low' overall contribution to the Green Belt purposes, due to its strong boundaries and because of the extent of urban development around its boundaries and its limited role in preventing the merging of settlements." (my underlining)

The recognition that the site makes a 'low' overall contribution to Green Belt purposes and its reasons for doing so is of significance strategically. Our client welcomes and supports the intent of this additional paragraph 4.24.12, which gives justification for the site to be brought forward as part of the Plan period 2020-2037.

This proposed paragraph goes onto state:

"However, the site is identified as being affected by a number of constraints that will have a significant impact on its net developable area and deliverability of development within it, including its use as a golf course, constraints in relation to the highway network and some physical constraints within the parcel itself, including electricity pylons, the proximity of the railway line in noise terms, woodland to the north of the parcel and some infrastructure assets running through the parcel as advised by United Utilities."

The proposed Main Modifications also acknowledge the inherent sustainability of the site with a further new paragraph 4.24.13:

“Notwithstanding this, the site has good accessibility to a range of services, jobs and public transport (including Eccleston Park railway station). The safeguarding of this site is justified to help meet development needs beyond the Plan period and will provide sufficient time to satisfactorily address the identified constraints, and exceptional circumstances are therefore justified.”

Whilst it is helpful that paragraph 4.24.13 recognises the sustainability of the site (i.e. its' accessibility to a range of services, jobs and public transport), we would maintain that Site '3HS: Former Eccleston Park Golf Club' is available now and is capable of being developed within the 0-5 year period to meet current housing needs. Hence it is considered 'deliverable'.

The assumptions of the Council referring above to the apparent site constraints are out-of-date and are not accepted by our client, which is why we consider the site should be allocated in the Plan period 2020-2037. The reasons for this are that Site '3HS: Former Eccleston Park Golf Club' is the subject of a current planning application (reference No: P/2020/0791/HYEIA) by Mulbury (Warrington) Ltd (The 'Applicant') for the following:

“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).”

This planning application has yet to be determined by the Council at the time of drafting this response, but it has been submitted with detailed reasons and planning justification in support of the development of the site. In particular, the Applicant has indicated that Very Special Circumstances exist and forms a very significant material consideration, which weighs in favour of allowing this unique development proposal within the Green Belt and within the current Local Plan period.

The planning application submissions also indicate that all the site constraints could be overcome contrary to the points raised in the proposed Main Modifications above, and the site could accommodate, and critically deliver, up to 962 dwellings along with the other uses. The planning application confirms that the Rainhill area of St Helens has been identified as the priority for the borough as an area that requires new healthcare premises, at the heart of the Rainhill Community. The planning application has therefore set out a clear, reasoned planning justification in favour of planning permission being granted, indicating there is no other known sites in the borough that could deliver these unique benefits or at this scale. Therefore, bringing forward the development now would be in accordance with paragraphs 140 and 141 of the National Planning Policy Framework (NPPF).

The planning application has also sought to demonstrate that the harm to the Green Belt by reason of inappropriateness, and any other harm, is very clearly outweighed by other considerations. As mentioned above, the planning application is supported by the full remit of technical supporting documents demonstrating that the constraints identified have been overcome or mitigated.

Given these factors, the Council has failed to meet the requirements of Plan making as set out in the NPPF by not bringing forward a deliverable derelict site that it recognises makes a

'low' overall contribution to the Green Belt purposes. The proposed Plan does not meet the tests of 'soundness' as set out in the NPPF in so far as the failure to allocate site 3HS: Former Eccleston Park Golf Club' is not justified. The allocation of the site would help meet identified housing needs and provide greater flexibility in the housing market where there remains an overall deficit in the provision of suitable and habitable housing in England.

We consider there is insufficient evidence put forward by the Council in its Examination documents as to the reasons for excluding the Eccleston Golf Club site from the Local Plan allocations. We believe this site to be a more sustainable and suitable housing location than others that have been retained for allocation. These other sites were all referred to in our previous Submission Draft Local Plan representations.

For these reasons outlined above, the Department of Health & Social Care (DHSC) does not support the proposed Main Modification MM011 to Policy LPA06 and urges St Helens Council re-consider the planning strategy and allocate site 3HS Former Eccleston Park Golf Club, Rainhill Road, Eccleston in the Plan period 2020-2037.

Please continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation.

**Thank you for taking the time to complete and return this response form.
Please keep a copy for future reference.**

RO1020

From: Glyn Lacey [REDACTED]
Sent: 09 January 2022 18:57
To: planningpolicy@sthelens.gov.uk
Subject: RESPONSE TO ST HELENS LOCAL PLAN MAIN MODIFICATIONS

Importance: High

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I believe that the Main Modifications MM06 and MM011 are neither sound nor legally compliant and **I fully support the submission from ECRA with Windle** in relation to these Modifications.

MM06

The Council plans to build more houses than the ONS has stated are needed, so along with creating an oversupply in the North West, this will use up vast amounts of resources in manufacturing building materials, and needlessly add to the carbon footprint of the proposed development.

With regard to the Council's Climate Change Emergency declaration, building on Green Belt is contrary to these aspirations, especially on 8HS which is mainly Grade 1 and 2 agricultural land and contains a flood zone.

MM011

Only when every inch of Brownfield land has been unlocked, as and when available, should there be a consideration to the future of any Green Belt land for development.

Let us prove our wisdom to future generations by protecting the biodiversity and Green Belt which we all benefit from now for the future.

Glyn Lacey
46 Howards Lane
Eccleston
St Helens
WA10 5HY

RO1021

From: [REDACTED]
Sent: 09 January 2022 20:10
To: planningpolicy@sthelens.gov.uk
Subject: RESPONSE TO ST HELENS LOCAL PLAN MAIN MODIFICATIONS - MM09 & MM011

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

I fully endorse the issues raised in the submission from ECRA with Windle on these Modifications. I believe that Main Modifications MM09 and MM011 are neither sound nor legally compliant. I am opposed to the unnecessary building on Green Belt in St Helens - Site 8HS should remain in the Green Belt, not be safeguarded for development now or in the future.

MM09

St Helens Borough Council acknowledges that 8HS forms a sizeable extension of the built-up area into the countryside beyond a well-defined urban edge. Loss of this site would mean loss of Grade 1 and 2 agricultural food growing land, and necessitate significant highway improvements for access to a narrow rural country lane.

MM011

St Helens has sufficient Brownfield land to meet the recognised needs for the foreseeable future. Before planning to build on Green Belt, the Council needs to address the lack of an implemented policy on contaminated land in the Borough. Rather than wait for sporadic triggers before putting into action the policy of seeking funding to unlock brownfield sites to boost the housing supply, the Council should be more proactive and optimise the funding opportunities which result from being a Liverpool City Region member. The Government has said that making the most of previously developed land is one of their priorities and they released a £75m Brownfield Release Fund. St Helens has not yet been included in the allocation of these monies, despite our industrial heritage resulting in a high proportion of potentially contaminated land, currently unfit for development. I understand that over 6000 sites await inspection under the ineffectual processes of the Contaminated Land Inspection Strategy. Residents of St Helens deserve to live in a town which can boast having little contaminated land whilst also retaining large amounts of unspoiled Green Belt.

The Habitat Regulation Assessment makes clear that 8HS is a site of importance for wildlife. It highlights that development on 8HS is likely to have significant effects due to the possibility that it contains land suitable for non-breeding birds. I am aware, as an Eccleston resident, that 8HS is an important site for non-breeding

birds, and recently, a significant number of pink footed geese were photographed on 8HS. I support the belief that this fact should have been considered in the Green Belt and Local Plan reviews. I understand that an Environmental Impact Assessment would be required before any detailed planning could be undertaken here and this must also consider any biodiversity issues which extend beyond the boundary of the site - neighbouring Catchdale Moss is recognised as important for yellowhammer, corn bunting and tree sparrow. I understand that the St Helens Council "Nature Conservation Supplementary Planning Document" is still in draft form and it is believed that this is a key document that should be addressed before the Local Plan can be approved.

Angela Lacey
46 Howards Lane
Eccleston
St Helens
WA10 5HY

RO1022

From: Lally, Sean [REDACTED]
Sent: 31 December 2021 17:33
To: planningpolicy@sthelens.gov.uk
Cc: Lally, Sean
Subject: RE: (E) St Helens Borough Local Plan Main Modifications Consultation

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Dear Lucy,

I hope you have had a great Christmas and all the best for 2022!

Below is my representation, (I am not a planning professional so please accept my effort!)

MM006:

3. “The re-use of suitable previously developed land in Key Settlements will remain a key priority”

During the review It was established that ‘suitable’ means in the main ‘cost/benefit analysis’. Whilst I understand and respect this, available government funding and policy have changed significantly in the time period since the review, ref: 12/10/2021 there is a £75m fund (this also has an additional £6m added for public owned land taking it to over £80m), available to towns such as St Helens. [New homes to be built as part of government drive to develop brownfield land and regenerate communities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/new-homes-to-be-built-as-part-of-government-drive-to-develop-brownfield-land-and-regenerate-communities)

On the 27/10/2021 (budget) an additional fund for brownfield first was confirmed as £1.8bn available to regions (Liverpool city region as

example) <https://www.lexology.com/library/detail.aspx?g=524ecea1-ceab-4c24-aaec-97619dbec0a5>

Obtaining this new funding would bring forward additional sites that previously have been categorised as unsuitable removing the need for virgin agricultural & leisure site 8HS to be removed from Green Belt.

4.6.11 “In view of the NPPF advice that local authorities work jointly with neighbouring authorities to meet any development requirements that cannot be met within their own boundaries, it should be noted that whilst St Helens shares a housing market area with Halton and Warrington, both have identified shortages of urban land supply for housing”.

St Helens unrivalled industrial heritage provides for much brownfield and this is a strength, yet there is no evidence of St Helens applying for the aforementioned new available money? Why not? (Warrington have and have been successful) [New homes to be built as part of government drive to develop brownfield land and regenerate communities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/new-homes-to-be-built-as-part-of-government-drive-to-develop-brownfield-land-and-regenerate-communities)

MM009

“a) at least 40 dwellings per hectare (dph) on sites that are within or adjacent to St.Helens or Earlestown Town Centres”

£m's are to be spent turning the brownfield site (old Penkford school) into Greenbelt? This site is located on Earle street which takes you directly into Earlestown town centre, according to google maps centre to centre is 0.8m or a 17 minute walk using Earle street. This is at the same time as justifying removing 8HS from Green Belt?

I still don't understand how this fits with national or local policy as it is adjacent to Earlestown town centre or how it has financial sense given the new funding available, the council could obtain two payments (remedial and sale) whilst also providing footfall for the town centre and close to rail and bus networks? £m's would be saved and additional £m's would be obtained from funding, whilst offsetting the need to remove virgin agricultural & leisure site 8HS from the Green Belt

MM011

8HS – Land South of A580 between Houghtons Lane and Crantock Grove, Windle

4.24.18 The Green Belt Review (2018) found the parcel of land that reflects this site boundary to make a 'low' overall contribution to the Green Belt, with a 'medium' development potential. The site comprises a significant greenfield site that forms a sizeable outward extension of the urban area into the countryside. The site also has a number of technical issues which would need to be addressed prior to development, including required significant improvements to highways infrastructure and suitable ecological evidence in relation to the potential of the site to provide functionally linked habitat for bird species, which may require a mitigation strategy. Such issues could take some time to address. Furthermore, given the scale of the site, some social infrastructure (such as a primary school) is likely to be required. There are further physical constraints in relation to the site, which could likely be addressed satisfactorily. On the basis of the above, this site provides the opportunity to meet longer term development needs, and safeguarding the site will provide sufficient time to address the identified issues."

- No mention of the impact on Health & Wellbeing given it is the primary source of exercise for the local residents and visitors. It's all well and good Story Homes stating it is Private land, however the legal footpaths are Public access. P.14 and p.128 Health & Wellbeing
- The MM document argues in favour of keeping/enhancing areas for such pleasure, even citing the increased needs highlighted by the pandemic as evidence
- No mention of mitigation for loss of open space or the negative impact on Climate Change Emergency in this area. P.134
- No mention of the negative agricultural impact? Or the new fund available for sustainable farming
- No mention of the massive new Brownfield redevelopment fund that will change the very definition of 'Suitable/ cost benefit' [New homes to be built as part of government drive to develop brownfield land and regenerate communities - GOV.UK \(www.gov.uk\) ... Autumn Budget 2021 - from a residential development perspective - Lexology](#)

'low' overall contribution to the Green Belt" Ref: Sustainability appraisal

I cannot make sense of the outcomes from scoring. For example, how will building on 8HS positively reduce the need to travel? We will have to travel/use our cars more? Also, when comparing sites the decision matrix results seem to have no influence? For example if I say Green = +2, grey = +1, amber = -1, red = -2. Then 8 HS scores a lot lower than some other sites which are discarded?

Example:

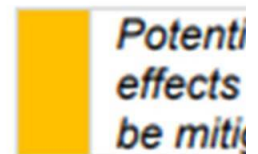
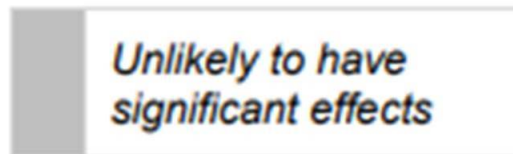
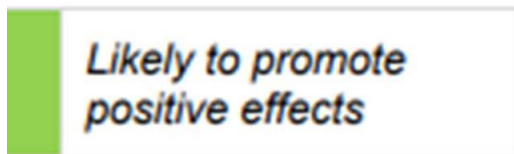
ID 75. 8HS: 5 reds, 6 greens, 2 amber, 7 grey (result = +7)

Safeguard: The site is adjacent to residential development and would be adequately accessible following highway improvements. However, the necessary highway improvements are substantial and would take a significant amount of time to deliver. The site comprises an open green-field area with high quality agricultural land and is also likely to provide functionally linked habitat for pink footed geese. It contains a LWS and infrastructure that require a buffer zone in addition to a buffer required to mitigate air and noise pollution from the nearby road. This reduces the developable area.

ID 64: 0 reds, 4 greens, 3 amber, 13 grey (result = +18)

Discard: The development of this site would require a substantial buffer to mitigate the air quality and noise effects of the M62, significantly reducing the developable area. There are also access issues that would need to be addressed. Only a limited part of the site would be developable.

Key to site appraisal scores:



Site ID	GB ref	Site Name
		SA13a- cant find it

This concludes my MM representations. I truly hope it has sense and you kindly take it on board with empathy.

I understood the Inspector stating there needed to be a line drawn in the sand at 31st March 2021 when I referenced the new brownfield sites available for sale and Penkford school site (all post 31st March) during the review, however I do not believe we can ignore the significant brownfield funding and policy announcements that have been made by central government since the inspectors review took place, it compounds the need to reassess 8HS to remain as Green Belt

Please kindly note: it should not be understated the anxiety and negative impact on Ecclestone and Windle residents mental health and well being from removing 8HS from the Green Belt. Just today I have witnessed hundreds of people/families throughout the day using this area for exercise and fresh

air, when its gone there will be no alternative green place to walk, cycle and run. The heart will be ripped out of the community.

Kind regards

Sean

Sean Lally CMgr MCMI 
23 Ecclesfield Road
Eccleston
St Helens
WA10 5NE

From: planningpolicy@sthelens.gov.uk <planningpolicy@sthelens.gov.uk>
Sent: 18 November 2021 12:52
To: planningpolicy@sthelens.gov.uk
Subject: (E) St Helens Borough Local Plan Main Modifications Consultation

Dear Sir/Madam,

Please find attached notification of the St Helens Borough Local Plan Main Modifications public consultation.

For further details on the consultation, please visit www.sthelens.gov.uk/localplanmodifications

Yours faithfully,

The Planning Policy Team

Development Plans Section | Development & Growth Division | Place Services Department | St.Helens Council
Postal Address: Planning Policy Team | St Helens Town Hall | Victoria Square | St Helens | WA10 1HP |
Tel: 01744 676 190
Email: planningpolicy@sthelens.gov.uk
Website: <https://www.sthelens.gov.uk/planning-building-control/planning-policy/>



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<https://www.nsg.com/en/about-this-site/privacy-policy>

RO1027

[REDACTED]

From: STEVEN Lawrenson [REDACTED]
Sent: 10 January 2022 11:22
To: planningpolicy@sthelens.gov.uk
Subject: bold clock face action group

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

I have read though the finding Which word identified Bold and clockface action group and agree to the findings^[REDACTED]

RO1030

From: Bernard Lazenbury [REDACTED]
Sent: 11 January 2022 09:08
To: planningpolicy@sthelens.gov.uk

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

In responding to the local plan to allow housing development on green belt land in Garswood, I wish to register my total agreement regarding the comments and observations made by the Garswood Residents Action Group and Residents Against Florida Far Developments.

In the past couple of years traffic volume has been hugely increased and there are times when to cross the road at the junction of Garswood Road and Millfield Lane can entail a wait of 1-2 minutes at a time. This is also noticeable on a walk up to Garswood garage when you can be passed by numerable cars, many exceeding the 30mph speed limit. The tail backs at the Ashton Cross junctions are another case in point due to increased traffic.

It goes without saying that building a large number of houses on green belt land (instead of exploring and utilising the many brown field sites still available in the borough) will obviously add to the pressure on local amenities. There is presently only one doctor's surgery, where it is already difficult to get appointments and no dentist. There also just one relatively small school.

Public transport can be unreliable and buses are fairly infrequent, often taking very circuitous routes to get from A to B. Garswood station is a good 10 walk from the proposed development, and completely unsuitable for those with disabilities as there is no lift. Parking has been a perennial problem and commuters have to use whatever space they can find outside the houses of local residents.

As with the development of Florida Farm, where an entire vista was obliterated, a large estate on the proposed site would remove countryside views that many people enjoy when out walking, and could have a special impact on those with a depressive illness who rely on getting a "lift" from the enjoyment of being out of doors.

Hopefully, for these and many other reasons, the proposals for this plan will be completely rejected.

Bernard Lazenbury

RO1040

From: Derek Lee [REDACTED]
Sent: 30 November 2021 21:35
To: planningpolicy@sthelens.gov.uk
Subject: Comments to Local Plan Modification - this replaces previous email from me

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Derek Lee
202 Two Butt Lane
Rainhill
Prescot
Merseyside
L35 8PU

**3HS – Former Eccleston Park Golf Club, Rainhill Road,
Eccleston**

4.24.12 The Green Belt Review (2018) found the parcel of land that generally reflects the boundary of this site to make a 'low' overall contribution to the Green Belt purposes, due to its strong boundaries and because of the extent of urban development around its boundaries and its limited role in preventing the merging of settlements.

The clearly defined boundaries actually separate the Boroughs of St Helens and Knowsley and the communities of Rainhill, Whiston, Eccleston Park and Nutgrove which is exactly the original definition of Green Belt and rather than dismissing the land as a lost cause, St Helens MBC should be promoting the land as essential to preserving the fundamental reason for Green Belt.

I contend that the method used in determining the benefits of this parcel of land has been incorrectly applied.

However, the site is identified as being affected by a number of constraints that will have a significant impact on its net developable area and deliverability of development within it, including its use as golf course, constraints in relation to the highway network and some physical constraints within the parcel itself, including electricity pylons, the proximity of the railway line in noise terms, woodland to the north of the parcel and some infrastructure assets running through the parcel as advised by United Utilities.

The constraints relating to the highway network has been correctly identified, however the means of dealing with the problem has not been considered and until this is addressed the land should remain as Green Belt.

The existing road network is already congested with no opportunities for widening or developing a new road network. The road leading to Rainhill already gets grid locked with the speed limit through Rainhill Village reduced to 20mph signifying the concerns, similarly Nutgrove 20mph, the rat runs through Longton Lane and all adjoining roads, 20mph plus speed humps. If it is hoped that traffic will exit through Elton Head Road to the Link Road, continual expensive investment which fails to solve the ever increasing traffic.

Extensive development in adjacent Whiston has not been acknowledged which is already causing gridlock on St Helens Roads.

Schools are over capacity, it has not been identified how this will be addressed

Doctors surgeries are over capacity, it has not been identified how this will be addressed

Dentists Surgeries are over capacity, it has not been identified how this will be addressed

Whiston Hospital is over capacity, it has not been identified how this will be addressed

Public Transport will need to be increased, it has not been identified how this will be increased on already over congested roads

Notwithstanding this, the site has good accessibility to a range of services, jobs and public transport (including Eccleston Park railway station).

This can be interpreted as making a profit for a builder rather than considering the development proposal for the health and wellbeing of existing residents and environmental improvement by implementing Governmental requirement for tree planting.

The safeguarding of this site is justified to help meet development needs beyond the Plan period, and will provide sufficient time to satisfactorily address the identified constraints, and exceptional circumstances are therefore justified.

This is definitely the wrong conclusion considering the previous statements on constraints.

The safeguarding of this site should not be allowed and the land should retain the Green Belt status until all of the identified constraints have been addressed with detailed methodology. St Helens MBC is not using the same rules for their application as they would expect from other people.

Exceptional Circumstances have NOT been proved and hoping for solutions to magically appear in the future should not be allowed in such an important document. The health and wellbeing of existing residents should be considered and opportunities sought for environmental improvements such as implementing Governmental requirement for tree planting or other schemes to enhance the Green Belt of an already urbanised Borough with diminishing green spaces.

In Summary, the Development Plan has incorrectly identified the damage that will be caused by even considering this parcel of land for safeguarding and should ensure that the Green Belt status is further protected for the benefit of Local residents and the environment. Pressure by developers and short term financial considerations should be resisted.

RO1050

[REDACTED]

From: BARRY LESTER [REDACTED]
Sent: 10 January 2022 09:56
To: planningpolicy@sthelens.gov.uk
Subject: To whom it may concern

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Please accept my notification of support and endorsement of objection with regard to proposed developments and future projects that include modification to green belt land within Bold and Clock face locations.

As part of public consultation ,I wish to have this notification lodged and recorded as an objection to the proposed developments.

I hereby give notification and support to the report produced on behalf of Bold and Clock face action group.

RO1066

[REDACTED]

From: Melanie Lindsley [REDACTED]
Sent: 06 January 2022 11:43
To: planningpolicy@sthelens.gov.uk
Subject: St Helens - Local Plan Submission Draft - Schedule of Proposed Main Modifications
Attachments: Main Mods Rep Form.docx

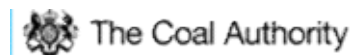
CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Dear Planning Policy Team

Please find attached the comments of the Coal Authority on the completed representations form in respect of the Main Modifications consultation.

Kind regards

Melanie



Melanie Lindsley *BA(Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI*
Development Team Leader (Planning)

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**St Helens Borough Local Plan 2020-2035 (Submission Draft)
Proposed Main Modifications Consultation
Response Form**

Ref:

(For official use only)

Please ensure the form is returned to us **by no later than 5pm on Thursday 13th January 2022**. **Any comments received after this deadline cannot be accepted.**

This form has two parts;

Part A – Personal Details

Part B – Your Representation(s).

PART A – YOUR DETAILS

Please note that you must complete Parts A and B of this form.

1. Your Details	2. Your Agent's Details (if applicable) (we will correspond via your agent)
Title: Mrs	Title:
First Name: Melanie	First name:
Last Name: Lindsley	Last Name:
Organisation/company: The Coal Authority	Organisation/company:
Address: 200 Lichfield Lane, Mansfield, Nottinghamshire	Address:
Postcode: NG18 4RG	Postcode:
Tel No: [REDACTED]	Tel No:
Mobile No:	Mobile No:
Email: [REDACTED]	Email:

Signature: [REDACTED]

Date:

6th January 2022

Please be aware that anonymous forms cannot be accepted and that in order for your comments to be considered you **MUST** include your details above.

3. Would you like to be kept updated of future stages of the St Helens Borough Local Plan 2020-2035? (Namely publication of the Inspectors' recommendations in their Final Report and then adoption of the Plan)

Yes (Via Email)

No

Please note - e-mail is the Council's preferred method of communication. If no e-mail address is provided, we will contact you by your postal address.

RETURN DETAILS

Please return your completed form to us **by no later than 5pm on Thursday 13th January 2022** by:

post to: **Freepost LOCAL PLAN,
St Helens Borough Council,
St. Helens Town Hall,
Victoria Square,
St Helens,
WA10 1HP**

or e-mail to: planningpolicy@sthelens.gov.uk

Please note we are unable to accept faxed copies of this form.

FURTHER INFORMATION

If you need assistance, you can contact us via:

Email: planningpolicy@sthelens.gov.uk
Telephone: 01744 676190

NEXT STEPS

All representations received within the representations period, will be passed on to the appointed Local Plan Inspectors, who will consider and use them to inform their final conclusions on the Local Plan Examination.

DATA PROTECTION

Please note that all representations received within the consultation period will be made public and passed on to the Planning Inspectors. This will include the names and addresses of representors being made public, although other personal details will remain confidential. Further clarity on this is available on the Local Plan Privacy Notice available on the Local Plan webpage (address below). The Council is unable to accept anonymous or confidential representations.

We process personal data as part of our public task to prepare a Local Plan, and will retain this in line with our Information and Records Management Policy. For more information on what we do and on your rights please see the data protection information on our website at www.sthelens.gov.uk/localplan.

Now please complete PART B of this form, setting out your representation/comment.

Please use a separate copy of Part B for each separate comment/representation.

PART B – YOUR REPRESENTATION

Please use a separate form Part B for each representation, and supply together with Part A so we know who has made the comment.

4. Which Main Modification does this representation relate to?

Main Modification Reference Number **MM034**

5a. Do you consider that this proposed Main Modification is legally compliant?

Yes

No

Please tick as appropriate

5b. Do you consider that this proposed Main Modification is 'sound' (in accordance with the definition in the National Planning Policy Framework)?

Yes

No

Please tick as appropriate

6. Please provide a reason for your response to questions 5a and 5b above.

The Planning team at the Coal Authority have no objections to the modifications proposed to Policy LDP01. Our interest lies in this policy as it requires consideration of ground instability issues as part of development proposals.

Please continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation.

**Thank you for taking the time to complete and return this response form.
Please keep a copy for future reference.**

RO1067

From: Angela Liptrot [REDACTED]
Sent: 13 January 2022 11:13
To: planningpolicy@sthelens.gov.uk
Attachments: representation-form-final.docx

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Please find attached form for final consideration with regards to The Local Plan.

Yours sincerely

Angela Liptrot

Sent from [Mail](#) for Windows



**St Helens Borough Local Plan 2020-2035 (Submission Draft)
Proposed Main Modifications Consultation
Response Form**

Ref:

(For official use only)

Please ensure the form is returned to us **by no later than 5pm on Thursday 13th January 2022**. **Any comments received after this deadline cannot be accepted.**

This form has two parts;

Part A – Personal Details

Part B – Your Representation(s).

PART A – YOUR DETAILS

Please note that you must complete Parts A and B of this form.

1. Your Details	2. Your Agent's Details (if applicable) (we will correspond via your agent)
Title: Mrs	Title:
First Name: Angela	First name:
Last Name: Liptrot	Last Name:
Organisation/company:	Organisation/company:
Address: 16 Eagle Crescent Rainford St Helens Merseyside	Address: Postcode:
Postcode: WA11 8BG	
Tel No: [REDACTED]	Tel No:
Mobile No: [REDACTED]	Mobile No:
Email: [REDACTED]	Email:

Signature: [REDACTED]	Date: <input type="text"/>
------------------------------	-----------------------------------

Please be aware that anonymous forms cannot be accepted and that in order for your comments to be considered you **MUST** include your details above.

3. Would you like to be kept updated of future stages of the St Helens Borough Local Plan 2020-2035? (Namely publication of the Inspectors' recommendations in their Final Report and then adoption of the Plan)
Yes <input checked="" type="checkbox"/> (Via Email) No <input type="checkbox"/>

Please note - e-mail is the Council's preferred method of communication. If no e-mail address is provided, we will contact you by your postal address.

RETURN DETAILS

Please return your completed form to us **by no later than 5pm on Thursday 13th January 2022** by:

post to: **Freepost LOCAL PLAN,
St Helens Borough Council,
St. Helens Town Hall,
Victoria Square,
St Helens,
WA10 1HP**

or e-mail to: planningpolicy@sthelens.gov.uk

Please note we are unable to accept faxed copies of this form.

FURTHER INFORMATION

If you need assistance, you can contact us via:

Email: planningpolicy@sthelens.gov.uk
Telephone: 01744 676190

NEXT STEPS

All representations received within the representations period, will be passed on to the appointed Local Plan Inspectors, who will consider and use them to inform their final conclusions on the Local Plan Examination.

DATA PROTECTION

Please note that all representations received within the consultation period will be made public and passed on to the Planning Inspectors. This will include the names and addresses of representors being made public, although other personal details will remain confidential. Further clarity on this is available on the Local Plan Privacy Notice available on the Local Plan webpage (address below). The Council is unable to accept anonymous or confidential representations.

We process personal data as part of our public task to prepare a Local Plan, and will retain this in line with our Information and Records Management Policy. For more information on what we do and on your rights please see the data protection information on our website at www.sthelens.gov.uk/localplan.

Now please complete PART B of this form, setting out your representation/comment.

Please use a separate copy of Part B for each separate comment/representation.

PART B – YOUR REPRESENTATION

Please use a separate form Part B for each representation, and supply together with Part A so we know who has made the comment.

4. Which Main Modification does this representation relate to?

Main Modification Reference Number **MM006**

5a. Do you consider that this proposed Main Modification is legally compliant?

Yes

No

Please tick as appropriate

5b. Do you consider that this proposed Main Modification is 'sound' (in accordance with the definition in the National Planning Policy Framework)?

Yes

No

Please tick as appropriate

6. Please provide a reason for your response to questions 5a and 5b above.

The land in question is grade A agricultural land within The Green Belt.
I can see no justification for removing this land from the food chain and adding extra strain on the surrounding infrastructure. It also bounds the site of a busy stretch of the A570 which has seen a number of fatal accidents historically and recently.
The area cannot support the extra traffic and call on resources.
As stated in the plan there are many other options for housing, including brown field sites within the borough. The houses would not be affordable housing for local young people who can't get on the housing ladder and will not contribute to attracting employment to the area and I do not see any logic to building them. The ground is constantly farmed to produce food which is another area we need to concentrate on if the needs of a growing population are what we are really concerned about.
Green Belt land has been protected by law for a reason and we cannot change the rules when it suits. Rules and laws are there to be followed not broken at will.

Please continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation.

**Thank you for taking the time to complete and return this response form.
Please keep a copy for future reference.**

RO1111

From: Shirley Manley [REDACTED]
Sent: 10 January 2022 23:00
To: planningpolicy@sthelens.gov.uk
Subject: Local plan

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

**Dear sir madam please find support for the comments below
made by RAFFD & GRAG**

Shirley manley

**34 smock lane
Garswood
WN4 0SN**

**Residents against the Florida Farm Developments (RAFFD)
&
Garswood Residents Action Group (GRAG)**

**Comments on the proposed Main Modifications
to the St Helens Local Plan**

RAFFD was started on 1 June 2016 as Residents against the Florida Farm Development, to object to the planning application by Bericote Properties Ltd to construct warehouses on approximately 91 acres of Greenbelt at Florida Farm North, Haydock.

In November of that year, when details of the St Helens Local Plan were released the name was changed to Residents against the Florida Farm Developments to reflect our opposition to proposed housing at Florida Farm South and to Greenbelt Development throughout the Borough.

GRAG was also set up in November 2016 in response to the proposals in the St Helens Local Plan.

The combined Groups have a membership of approximately 1900.

We have read the responses to the Main Modifications made on behalf of the St Helens Green Belt Association (SHGBA), Bold and Clock Face Action Group, and ECRA and fully support those responses.

To save the Inspectors having to read the same comments twice this document should be read as an Appendix to the St Helens Green Belt Association submission with reference to the specific sites detailed below.

These comments are in respect of proposed developments within the existing Wards of Blackbrook and Haydock and the Garswood area of the Billinge and Seneley Green Ward.

Employment allocations 4EA, 5EA, 6EA.

Housing Allocations 1HA, 2HA and 1HS.

The document indicates the Main Modification Reference together with a copy of the St Helens Borough Council proposal and then details the response..

General Comments

It is believed the Local Plan is unsound as it is not based on conclusive and vigorous evidence and needs modification.

The amount of land being advised as being needed for development is overstated, there are no exceptional circumstances that warrant changing Greenbelt boundaries as previously developed land, Brownfield and contaminated land have not been thoroughly examined. The Greenbelt reviews are erratic and partisan. Economic hypotheses are over-egged.

The Main Modifications do not adequately allay fears in relation to developments 1HA and 1HS until there is guaranteed social infrastructure/infrastructure improvements. Without guarantees the impact on the local community would be catastrophic

The 'renewed focus on a Brownfield-first policy' – identification and remediation of Brownfield/contaminated land over the plan period would negate the need for

safeguarded land for development and no exceptional circumstances to remove land from the Greenbelt have been proved.

‘Suitable’ Greenbelt sites have been selected on the basis that the land parcels are ‘well contained with strong boundaries’. That is not an exceptional circumstance and reason to remove from the green belt.

Reasons given for safeguarded land are inconsistent.

Site Specific comments

Reference - MM007

Employment land allocations

Site - 4EA – Land south of Penny Lane, Haydock

4.12.26 This site forms a relatively small part of a larger parcel of land that the Green Belt Review (2018) found to make a ‘medium’ contribution to the purposes of the Green Belt, with ‘good’ development potential. It should be noted that the parcel of land assessed in the Green Belt Review included the land to both the north and south of Penny Lane. In this context, a significant part of the assessed Green Belt parcel (11.05ha) has an extant planning permission for employment development, of which the majority has now been developed. This is the land to the north of Penny Lane. The site forms a natural extension to the Haydock Industrial Estate. Indeed, given the development of land to the north of Penny Lane, this site is now surrounded by built development of the Haydock Industrial Estate to the north, east and south, and the M6 to the west. The site is also located in close proximity to an area that falls within the 20% most deprived population in the UK. Therefore, its development for employment use would help to reduce poverty and social exclusion. The development would also reduce the need to travel by making best use of existing transport infrastructure due to its location close to a high frequency bus service.

Comment by RAFFD & GRAG

This site is adjacent to a major tourist destination in Haydock, ie the Mercure Hotel and is in very close proximity to Haydock Park Racecourse.

The hotel has already suffered badly from the inappropriate development of the Briggs Plant Hire Company to the immediate West of its grounds, not what was envisaged for the site by the glossy brochure issued by the developer for what is known as Empress Park.

This parcel of land should be deleted from the proposals and should remain as part of the Greenbelt.

Site - 5EA – Land to the West of Haydock Industrial Estate, Haydock

4.12.27 The Green Belt Review (2018) found the sub-parcel of land reflecting this site to make a 'medium' contribution to the Green Belt purposes. The site adjoins the large built up area of Haydock, but is relatively well contained and strategic gaps between Haydock and elsewhere could still be maintained following the release of this site from the Green Belt. The Review also found the site to have 'good' development potential. The removal of this site from the Green Belt in conjunction with site 6EA, and the now developed employment land at Florida Farm North presents the opportunity to provide a stronger, more robust boundary in this location. The site is located within 1km of an area falling within the 20% most deprived population in the UK. Its development for employment use would help reduce poverty and social exclusion and help reduce the need to travel through making best use of existing transport infrastructure due to its location close to a high frequency bus service.

Comment by RAFFD & GRAG

This parcel of land, together with 6EA below and the already developed Florida Farm North constitute an area of some 160 acres (65 hectares). It is difficult to understand how an area of this size in a rural location can be classified as only having a medium contribution to the Greenbelt. The whole area should have been looked at as one and not divided into smaller parcels.

An application to develop this land for warehousing was rejected by the Council on 23 July 2019 as being inappropriate development within the Greenbelt. Only three members of the Planning Committee voted in favour of granting the application and the developer did not appeal the decision. The developer was so confident that ■ application would be granted that prior to the planning committee hearing, and without planning permission, ■ erected a sign stating that the warehouses would be coming soon.

Some two and a half years later that illegal sign is still on the site despite complaints being made about it and the Council stating that they would take enforcement action.

6EA – Land West of Millfield Lane, south of Liverpool Road and north of Clipsley Brook, Haydock

4.12.28 The Green Belt Review (2018) found the sub-parcel of land reflecting this site to make a 'medium' contribution to the Green Belt purposes. At the time the Green Belt Review was undertaken, this site did not adjoin a large built-up area, but was considered in part to prevent ribbon development along Liverpool Road. Since that time, employment development at Florida Farm North has taken place adjacent the southern boundary of the site. This site would form a natural extension to the Haydock Industrial Estate, and its development would provide a stronger, more robust Green Belt boundary. The site is located within 1km of an area falling within the 20% most deprived population in the UK. Its development for employment use would help reduce poverty and social exclusion

Comment by RAFFD & GRAG

The first paragraph of the comments about site 5EA above also applies to this proposal. There don't appear to be any concrete proposals as to how this site would be accessed and in the past there have been woolly comments about a link road from Liverpool Road to Haydock Lane through this site and site 5EA above.

Should these sites remain in the Local Plan and subsequent planning permission is granted see my comments later in respect of planning and highways agreements to mitigate the effects of these two developments and the need for the council to manage and monitor the construction in a way that causes the least disruption to residents and highway users.

Housing Land allocations

Reference - MM010

1HA – Land south of Billinge Road, East of Garswood Road and West of Smock Lane, Garswood

4.18.24 The Green Belt Review (2018) found the parcel of land corresponding to this site to make a 'low' overall contribution to the Green Belt purposes. In summary, all sides of the site have strong boundaries, and it is therefore well contained. The strategic gap between Billinge and Garswood could also be maintained notwithstanding the release of this site from the Green Belt. It also found the site to have 'good' development potential. The site is in a sustainable location within walking distance of a local shop and public transport links, including the nearby railway station. Safe access to the site can be provided, and a suitable sustainable drainage scheme also. Indeed, development of this site could help solve flooding issues in the surrounding urban area. The Sustainability Appraisal (SA) found development of the site would result in a high number of positive effects.

Comment by RAFFD & GRAG

The main criteria mentioned for the selection of 'suitable' Green Belt sites remains that parcels are "well contained with strong boundaries". This cannot be an exceptional circumstance for removal from Green Belt.

The perceived benefits of development are over-egged and we object and reject the statement that 'The Sustainability Appraisal (SA) found development of the site would result in a high number of positive effects.'

As far as the comment about '**within walking distance of a local shop**' – much of the area has footways/safe walking routes on only one side of the road.

'Transport links'

The 156 bus service was diverted to accommodate the Florida Farm development – making journey times much longer and less frequent now at one per hour

157 bus service is one per hour no early or late availability (0940-1744 hours).

Train service is one per hour – no access to Liverpool bound platform for those with mobility issues due to 56 stairs, 4 landings, a bridge and no lift.

No proposed additional social infrastructure: doctors – already has a waiting list and not accepting new patients due in part to the national shortage of GPs, there is no dentist in the area, school places, etc.

Effects of Greater Manchester Clean Air Zone are as yet unknown as being on the extremity of the borough and abutting Greater Manchester, the area is likely to become even busier as traffic tries to find ways around the charges. This has not been taken into account.

Should this site remain in the Local Plan then the Highways Service needs to ensure by way of Section 278 Highways Act Agreement that adequate footways are provided in the vicinity of the development and elsewhere in Garswood as there are many highways that only have a footway on one side.

There should also be a provision for a substantial contribution towards the upgrade of Garswood Station, including the provision of a lift.

2HA – Land at Florida Farm (South of A580), Slag Lane, Blackbrook

4.18.25 The Green Belt Review (2018) found the parcel of land generally reflecting this site to make a ‘low’ overall contribution to the Green Belt purposes, with strong permanent boundaries and not having a sense of openness or countryside character. In summary, there is existing residential development on three sides of the site, and the East Lancashire Road (A580) on the fourth side. It also found the site to have ‘good’ development potential. The site is in a sustainable location with good levels of accessibility to key services and jobs (including at the Haydock Industrial Estate). The site presents no technical constraints that cannot be satisfactorily addressed. Indeed, the provision of flood mitigation measures for the site could have the beneficial effect of helping alleviate flooding in the wider area. The SA found development of the site would have a mixed impact on achieving SA objectives, with a high number of positive effects, including good access to public transport and employment opportunities.

Comment by RAFFD & GRAG

It is difficult to see how this land, consisting of some 57 acres (23.19 hectares) of farmland in this semirural location, could warrant a description of having a “low overall contribution to the Greenbelt”. Having strong, permanent boundaries is not an exceptional circumstance for the removal of land from Greenbelt.

The proposal for yet another left off/left on access on the A580, a high speed highway is an accident waiting to happen, particularly as it is in close proximity to the 4-way junction at Haydock Lane. Vehicles can be held at these lights for lengthy periods and we have experienced at first hand the speeds that some vehicles attain as they race away from the hold up. The Highways Service should ensure, by way of a Section 278 Agreement, that the developer makes a 100% contribution towards the costs of introducing a 40 mph speed limit along this length of the A580, if it has not previously been introduced.

They should also ensure that they receive adequate funding via the Section 278 Agreement to mitigate the effect of this development on the existing highways network, including a commuted sum for the culvert that will be required at the junction of Vicarage Road/Liverpool Road and a sum to cover any contingencies that may arise.

Having experienced the problems caused on the A580 and surrounding highways during the Construction of the Florida Farm North warehouses it is imperative that the Council carefully monitors the site during the initial construction phase of the main access at the junction of Vicarage Road and Liverpool Road, in particular by ensuring that an adequate wheel wash system is installed and used. A rumble strip and a fleet of road sweeping vehicles spreading mud like buttering bread, is **NOT** an acceptable method.

The Council should also address the need for social infrastructure such as doctors and dentists and in particular school placements.

Housing safeguarded sites

Reference MM011

1HS – Land south of Leyland Green Road, North of Billinge Road and East of Garswood Road, Garswood

4.24.10 The Green Belt Review (2018) found the sub-parcel of Green Belt land containing this site to make a ‘medium’ contribution to the Green Belt purposes and has a ‘medium’ development potential. The site is within walking distance of a local convenience shop and is readily accessible by bus and rail. There are not considered to be any technical constraints to delivering development on this site that cannot be satisfactorily addressed over the necessary timeframe. However, as the site projects further into the countryside than housing allocation 1HA, it is considered to be a less logical extension to the village within the Plan period. On that basis, site 1HA is allocated

for development within the Plan period, and this site is safeguarded for development subsequent to that, beyond the end of the Plan period to meet longer term needs, creating a logical phased extension of the village both within and beyond the Plan period.

Comment by RAFFD & GRAG

We agree with the comments of the St Helens Green Belt Association at MM006 Section 5. Greenbelt release and the identification of Safeguarded land is not necessary.

Reference MM034

All proposals for development will be expected, as appropriate having to their scale, location and nature, to meet or exceed the following requirements:-

- 1.a) Maintain or enhance the character and appearance of the local environment ...
- b) avoid causing unacceptable harm to the amenities of the local area ...

Comment by RAFFD & GRAG

In respect of Garswood the development of the sites 1HA and 1HS will change the character of the village with the loss of open aspect views and farmland habitats.

In respect of site 4EA – land south of Penny Lane, the proposed development will cause unacceptable harm to the amenities of the Mercure Hotel.

RO1112

From: John Manley [REDACTED]
Sent: 11 January 2022 11:16
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan

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Reps Re Main Mods to Local Plan v 5.docx

Dear sir madam please find support for the comments below made by RAFFD & GRAG

John Manley

34 smock lane
Garswood
WN4 0SN

**Residents against the Florida Farm Developments (RAFFD)
&
Garswood Residents Action Group (GRAG)**

**Comments on the proposed Main Modifications
to the St Helens Local Plan**

RAFFD was started on 1 June 2016 as Residents against the Florida Farm Development, to object to the planning application by Bericote Properties Ltd to construct warehouses on approximately 91 acres of Greenbelt at Florida Farm North, Haydock.

In November of that year, when details of the St Helens Local Plan were released the name was changed to Resident at Florida Farm South and to Greenbelt Development throughout the Borough.

GRAG was also set up in November 2016 in response to the proposals in the St Helens Local Plan.

The combined Groups have a membership of approximately 1900.

We have read the responses to the Main Modifications made on behalf of the St Helens Green Belt Association (SHGBA), Bold and Clock Face Action Group, and ECRA and fully support those responses. **o save the Inspectors having to read the same comments twice this document should be read as an Appendix to the St Helens Green Belt Association submission with reference to the specific sites detailed below.**

These comments are in respect of proposed developments within the existing Wards of Blackbrook and Haydock and the Garswood area of the Billinge and Seneley Green Ward.

Employment allocations 4EA, 5EA, 6EA.

o save the Inspectors having to read the same comments twice this document should be read as an Appendix to the St Helens Green Belt Association submission with reference to the specific sites detailed below.

These comments are in respect of proposed developments within the existing Wards of Blackbrook and Haydock and the Garswood area of the Billinge and Seneley Green Ward.

Employment allocations 4EA, 5EA, 6EA. **o save the Inspectors having to read the same comments twice this document should be read as an Appendix to the St Helens Green Belt Association submission with reference to the specific sites detailed below.**

These comments are in respect of proposed developments within the existing Wards of Blackbrook and Haydock and the Garswood area of the Billinge and Seneley Green Ward.

Employment allocations 4EA, 5EA, 6EA. **o save the Inspectors having to read the same comments twice this document should be read as an Appendix to the St Helens Green Belt Association submission with reference to the specific sites detailed below.**

These comments are in respect of proposed developments within the existing Wards of Blackbrook and Haydock and the Garswood area of the Billinge and Seneley Green Ward.

RO1115

St Helens Green Belt Association - Main Modification Consultation 8HS

Label: 2 Year Email Retain and Delete (2 years) Expires: Sat 13/01/2024 15:13

MM

Margaret Markey [REDACTED]

Thu 13/01/2022 15:13

To: planningpolicy@sthelens.gov.uk



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I would like to endorse all the issues raised on behalf of SHGBA.

Mrs Margaret Markey
20 Ecclesfield Road
Eccleston
WA10 5 NB

Regards

M Markey

[Reply](#) | [Forward](#)

RO1116

SH Local Plan Main Modifications Consultation Blue category X

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SH LP MM 2022 respons...
800 KB

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Dear Planning Policy Team
 Attached is my response to the above consultation.
 Please acknowledge receipt.

Kind regards

Ken Marr

--
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LOCAL PLAN,
St Helens Borough Council,
St Helens Town Hall,
Victoria Square,
St Helens, WA10 1HP.

Dear Planning Policy Team

Re St Helens Local Plan – Main Modifications Consultation

I write in response to the above consultation. I fully support and endorse the representations made by SHGBA, ECRA , B&CFAG and CPRE Lancashire.

I also support the representations made by PAG & RAFFD & CRAG,

I stand by my representation to LPSD of May 2019 made on behalf of 13 other residents on Chapel Lane.

MM006

Cross border Cooperation

I still believe that the Duty to Cooperate (DtC) has not been conducted and in a sound and rigorous manner. There are shortfalls in the way Housing and Employment land need assessments have been addressed on a strategic level. As my earlier evidence states, all the regional and neighbouring Local authorities, are adopting identical growth strategies.

All the economic strategies are wholly dependent on inward national or international population migration to ensure these policies are viable. It is known that the number of residents is finite, yet neither St Helens nor any of the other local and regional authorities are obliged to provide any detail of where the new residents will come from.

Moreover, there is a disconnect between food security and urban development. The LPSD and the MMs fail to address how the new population is to be fed under climate emergency challenges when BMV agricultural land and the Farming industry in general are ignored and land sacrificed in all Regional Local Plans.

I stand by my position in the SDLP that the MM proposals remain, strategically, unworkable and are therefore not sustainable or sound.

I also believe as previously submitted that the education, health and welfare and transport aspects of the Local Plan proposals on a strategic level have not been addressed adequately and fall short of the requirements that will be necessary to meet planned population growth in the Local Plan.

In addition, since the SDLP and EiP, the government has made clear that the development of Brownfield sites first must be a priority. As a result, this Local Plan is now out of date in this respect and requires a full policy review to ensure a more proactive process is adopted to fulfil the NPPF requirements for the effective use of land.

MM009

I support the position made by the above action groups and professionals that there is absolutely no need for safeguarded housing sites in order to meet the longer-term housing need for the borough beyond the current plan period. I would make the following comments reiterating points previously made in other consultations and at the EiP.

- The 300k pa government annual housing need is manufactured and not supported by professional statistical organisation assessments. ONS for instance puts the need at around 70% of this figure.
- The government fails to follow its own recommendations by not using latest population and housing assessments leading to a considerable over-estimation of housing need.
- No exceptional Circumstances have been established for the development of Green Belt Land.
- The Standard Method is discredited and leads to excessive housing need.
- The papers produced by Piers Elias of Demographic Support for SHGBA show that the housing need in St Helens is very much lower than the 424 dpa currently estimated as needed and that that a downward trend was acknowledged at the EiP.
- The lack of strategic cross border planning under Duty to Cooperate (DtC) leads to exaggerated housing need as recently reported by RTPi planner magazine.
- Significant annual gain from Brownfield Register sites has been ignored in the SHLAA.
- The SHLAA and housing trajectory fails to consider any housing sites brought forward from lightly contaminated sites and other unsuitable sites and cannot be considered sound.
- The Local Plan fails to demonstrate that the NPPF requirement for the effective use of land has been adequately addressed.

All the above lead to a vastly overstated housing need that is not accurate and not objectively assessed and so is deeply flawed. It must, therefore, be considered unsound leading to the proosed unnecessary development of Green Belt and Greenspace land including the loss of BMV Agricultural Land. The real housing need outlined in the submissions made by Piers Elias and Kirkwells on behalf of SHGBA demonstrates that there is absolutely no need for safeguarded housing land to meet housing need beyond the plan period.

As outlined at the EiP, Session 5 on the 15th June on the SHLAA & Housing trajectory, it was stated that the Brownfield Registers for 2017 & 2018 had yielded potential housing land for 160 dpa. Contrary to the Brownfield Register Regulations no records for year 2020 before the LPSD

consultation and 2021 appear to be available to confirm if this trend has been continued. If this BFR gain is maintained land for a total of 2400 extra dwellings could be provided over the plan period.

Moreover, the SHLAA also ignores the dph gain by developers to the notional dph adopted by the council for the LPSD. Again, these are significant with potential for gains of 54 dpa based on several sites recently developed.

Most important of all, no consideration of the contribution to the SHLAA of unsuitable sites being brought forward to the BFR for housing development has been considered. As document SHBC 018 indicates SH has a huge area of contaminated sites. Not all sites are heavily contaminated or expensive to remediate for development so the contribution to the SHLAA would be very significant and have a major impact.

The details of potential gains from the above are scheduled in the table below.

Potential Significant Housing Supply Bonus

Necessary to demonstrate NPPF Chapter 11 Effective use of land.

Brownfield /PDL Land	Dwellings	
	Total	dpa
The Brownfield register indicates that the PDL sites have delivered in 2018 - 132 units from 12 new sites (BR99-110) out of a total 6028 up from 5818 in the 2017 BFR. The 2019 BFR has a total of 5941 units with 17 new sites (BR111-128) delivering an increase of 187 units. An average of 160 dpa over the 2 years. If this continues then a further contribution of 2400 units is possible ;-	2400	160
Developer Housing density per Hectare (dph) uplift at Planning Application stage		
6HA Cowley Hill PDL 1100 against LPSD notional dph of 816 (table 4.5) i.e 35% increase and 10HA Moss Nook PDL site of 900 against 802 a 12% increase suggests an average uplift of greater than 20% is possible . A 15% uplift delivery across the plan period would yield a further $7040 - 816 \cdot 802 = 5422 \times 0.15 = 1084$ units or 54dpa.	813	54
Unsuitable sites brought forward to BFR (No policy for funding remediation or bringing forward unsuitable sites)		
The Contaminated Land Statement 2015 indicates that there is 31.7 sqkm (3170 ha) of Group C low level contaminated sites . (SDLP table 4.5 & 4.8) Only 436 ha is needed for Allocated and Safeguarded sites. On this basis Remediation of less than 15% of these sites could meet all the housing land supply need.	could meet all need	

SHBC were challenged on these issues during the Session 5 on the Tuesday 15th June 2021. It became apparent during a discussion that SHBC had no policy for bringing forward unsuitable (contaminated) sites to be development ready for entry onto the Brownfield Register. Clarification was sought and Action point 14 was raised by the Inspector to consider whether the document SHBC018 was relevant to the examination. The document was subsequently added to the EIP Library

but the wider issues of SHBC policy for BFR, planning density and Unsuitable site gain has not been addressed at all.

SHBC018 merely outlines how Contaminated Land sites are made safe not how they are brought back into use.

This issue has not been addressed satisfactorily during the EiP. Not all contaminated sites are expensive to remediate and even the remediation of a small number of the lesser contaminated sites can provide land for a huge number of houses to remove the requirement to develop Green Belt land for housing need. This issue is significant and should form an essential part in the SHLAA, housing trajectory and 5-year housing supply.

During session 5, the EiP was treated to the spectacle of developers debating the relative merits of small and very small site housing contributions to the SHLAA whilst the far greater gains from the BFR, planning density and remediating unsuitable sites were ignored completely.

As a result, the SHLAA must be considered unsound. It should be rejected and reviewed in full. An objective assessment considering the above matters will show that it is not necessary to safeguard housing land in order to meet the long-term housing need beyond the plan period.

Housing Mix and affordability

It is also apparent that the housing mix is questionable. The clear need is for social housing. A 30% provision of 'Unaffordable' affordable housing at 20% below market rate will not solve the problem. £400k Executive homes, favoured by the developers, at an "affordable" price of £320K would require a salary of in excess £70k to obtain a mortgage – far greater than the salaries to be generated by the proposed new logistics jobs in the Local Plan or the current average salary across the borough.

The above, despite the consultation and EiP process, calls into question the government's intent to empower residents to become more involved in the planning system. The housing minister, in a debate in October 2020, stated that only 1% of the population became involved in Local Plans and only 3% in specific Planning applications. St Helens residents, given their experience over the last 5 years, could be forgiven for thinking that their views have been ignored with the government and the local Authority conspiring with developers to dismiss genuine resident concerns. Housing is not only broken but rotten and needs major reform to engage the public.

Yours faithfully

Ken Marr

RO1145

[REDACTED]

From: McBride, Sean [REDACTED]
Sent: 05 January 2022 11:16
To: planningpolicy@sthelens.gov.uk
Subject: RE: St Helens Borough Local Plan Main Modifications Consultation
Attachments: PHNW St Helens Proposed Main Modifications Jan 2021.pdf

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Dear Sir/Madam

Further to the below correspondence notifying of the consultation into Main Modification to the St Helens Local Plan, please see the attached response prepared on behalf of Persimmon Homes (North West) Ltd.

Kind regards
Sean

Sean McBride MRTPI
Persimmon Homes (North West) Ltd

30-34 Crofts Bank Road, Urmston, Manchester, M41 0UH
[REDACTED]

From: planningpolicy@sthelens.gov.uk <planningpolicy@sthelens.gov.uk>
Sent: 18 November 2021 12:52
To: planningpolicy@sthelens.gov.uk
Subject: St Helens Borough Local Plan Main Modifications Consultation

Dear Sir/Madam,

Please find attached notification of the St Helens Borough Local Plan Main Modifications public consultation.

For further details on the consultation, please visit www.sthelens.gov.uk/localplanmodifications

Yours faithfully,

The Planning Policy Team

Development Plans Section | Development & Growth Division | Place Services Department | St. Helens Council
Postal Address: Planning Policy Team | St Helens Town Hall | Victoria Square | St Helens | WA10 1HP |
Tel: 01744 676 190
Email: planningpolicy@sthelens.gov.uk
Website: <https://www.sthelens.gov.uk/planning-building-control/planning-policy/>



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Persimmon Homes Limited is registered in England number 4108747, Charles Church Developments Limited is registered in England number 1182689 and Space4 Limited is registered in England number 3702606. These companies are wholly owned subsidiaries of Persimmon Plc registered in England number 1818486, the Registered Office of these four companies is Persimmon House, Fulford, York YO19 4FE.

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As part of its obligations under Part 3, Criminal Finances Act 2017, Persimmon operates a zero tolerance approach to the criminal facilitation of tax evasion.

<https://www.persimmonhomes.com/corporate/media/334191/prevention-of-criminal-facilitation-of-tax-evasion-policy.pdf>

Local Plan
St Helens Council
Town Hall
Victoria Square
St Helens
WA10 1HP

5th January 2022

Sent by email only

Dear Sir/Madam

St Helens Local Plan – Main Modifications

Further to the completion of the Examination in Public (EIP) hearings into the St Helens Local Plan (the Plan) and the Council's publication of Main Modifications, I am pleased to provide the response of Persimmon Homes (North West) Ltd (the Company) to the consultation.

MM001 – Plan Period

As expressed in our Matter 2 Hearing Statement, it is considered desirable for strategic policies to cover a period of a minimum of 15 years from adoption of the Plan. The Company supports the revision of the Plan period from 2020-2035 to 2037 to cover a 15 year period from adoption, and considers this approach to be in accordance and consistent with relevant policies contained within the National Planning Policy Framework (the Framework).

MM002 – Local Plan Review

In view of proposed amendment to the Local Plan period (MM001), the Company supports the clarification of paragraph 1.9.1 to accord with the Framework, which concerns the requirement to undertake a review of the Plan at least once every 5 years from the date of adoption.

MM006 – LPA02 Spatial Strategy

As expressed in our Matter 3 Hearing Statement, the Company is strongly of the view that exceptional circumstances have been demonstrated to justify the release of land in St Helens from the Green Belt, the release of land being critical to the Borough's ability to meet its identified housing and employment needs across the Plan period and ensuring a Plan which is positively prepared, justified, effective and consistent with national policy.

The Company consider that the addition of paragraphs 4.6.10 – 4.6.13 provides necessary clarity in setting out these exceptional circumstances.

The Company is also supportive of additional paragraphs 4.6.20 – 4.6.23 which seeks to ensure consistency with the Framework in requiring delivery of compensatory improvement measures when sites are released from the Green Belt for development, although the Policy is not clear how these compensatory improvements will be sought, such as via financial obligations secured by s106 agreement. Whilst acknowledging opportunities for such improvements (Bold Forest AAP, Local Wildlife Sites and Nature Reserves etc.), there is no certainty that developers will have control of such sites to implement compensatory schemes. It should be expected that compensatory measures should be agreed as part of the pre-application process and proportionate to the scale of development proposed.

MM009 – LPA05 Section 1

As per our response to MM001, the Company supports the Council's revision of the Plan period to ensure that strategic policies cover a 15 year period to 2037, and it is also therefore appropriate to increase the housing requirement to reflect MM001.

MM009 – LPA05 Section 3 Housing Density and Footnote 24

The Company supports modification MM009, which provides clarity to paragraph 3 of Policy LPA05 and addresses proposed minimum densities for new housing developments in St Helens. It is considered that the policy aligns with the objectives of the Framework in seeking to make the most efficient use of land and being clear that the figures stated should be treated as a minimum unless necessary to achieve a clear planning objective.

Proposed modification to clarify footnote 24 concerning net developable area assumptions is also supported, the Council confirming at paragraph 4.18.14 that stated capacities in Table 4.5 are indicative, with actual capacity being determined having regard to acceptability of specific proposals in relation to relevant national and local policies. As expressed in our Matters 4, 5 and 7 Hearing Statements concerning housing allocation 'Land South of Billinge Road, Garswood', the Company anticipates that development in excess of 30dph (and therefore in accordance with the provision of Policy LPA05) can be achieved; it being considered that a quantum of development in excess of 216 houses for site 1HA is achievable – the Illustrative Masterplan submitted alongside our hearing statement identifying the site can accommodate 242 dwellings at 37 dph based on c70% NDA. It is considered appropriate that density of housing sites, having regard to site specific and local characteristics will be justified and agreed as part of the planning application process.

It is considered that these proposed modifications are positively prepared in seeking to support the delivery of homes to meet identified needs; justified, effective and consistent with national policy.

MM009 – LPA05 Reasoned Justification

The Company supports the proposed modification to reasoned justification supporting LPA05 and the proposed housing allocations (paragraphs 4.18.23 – 4.18.30) to provide clarity on the site specific exceptional circumstances for proposed housing allocations

MM021 – LPC01 Section 1

The Company is generally supportive of the proposed main modifications to LPC01 Section 1 which states that new market and affordable housing should be well designed to address local housing need...informed by up to date relevant evidence including the Borough's latest Strategic Housing Market Assessment (SHMA). The Company would however recommend a flexible approach to decision-making concerning housing mix when assessed against its evidence base, having regard to site/area characteristics and scheme viability.

MM021 – LPC01 Section 2

As expressed in our Matter 7 Hearing Statement, the Company considers it appropriate for planning policies to reflect the types of housing required to meet identified needs, including those required by older people and people with disabilities – implementation of optional standards M4(2)A and M4(3) being one way to achieve this.

It is considered however that the policy in adopting a blanket approach to all greenfield sites, fails to take account of site specific considerations which may preclude their ability to be complied, such as drainage and topography, Section 4 only referring to matters of economic viability being justification for not meeting the requirement

MM021 – LPC01 Section 3

The Company supports the modification to Policy LPC01 Section 3 which proposes removal of the requirement that at least 5% of new homes on greenfield sites should be bungalows.

As was expressed in our Matter 7 Hearing Statement, it was not considered that the 5% requirement is justified by an identified and clear need in the evidence base supporting the Local Plan, nor in terms of its impact on scheme viability and the proposed modification is therefore necessary to make Policy LPC01 sound.

MM021 – LPC01 Reasoned Justification para 6.3.8

The Company supports the proposed modifications to reasoned justification paragraph 6.3.8 of Policy LPC01 to introduce a 12 month transition for the introduction of standards set out in Part M4(2)a and M4(3) of Building Regulations.

MM022 – LPC02 Reasoned Justification para 6.6.9

The Company supports the modification to reasoned justification paragraph 6.6.9 supporting policy LPC02 to clarify the policy position concerning First Homes.

We would however encourage the Council to look pragmatically at those schemes which may seek to propose alternative tenures of affordable housing, including First Homes, and increase opportunities for affordable home ownership, and would recommend further minor modification to align with the intentions of Planning Practice Guidance which states that *'if an applicant wishes to amend a planning application to include First Homes... the local planning authority should be flexible in accepting First Homes as an alternative type of tenure'* (Ref: 70-020-20210524); and this should be reflected in paragraph 6.6.9.

MM026 – LPC06 Biodiversity Net Gain

The Company supports proposed Main Modification MM026 and particularly its clarity in how biodiversity net gain will be achieved as part of new development. It is considered that how BNG will be achieved is best agreed between the developer and Council early in the pre-application process, to allow for an integrated approach accounting for matters including scheme viability, landscaping and ecology and so matters of land ownership/stewardship if offsetting offsite can be suitably dealt with, so as not to delay delivery.

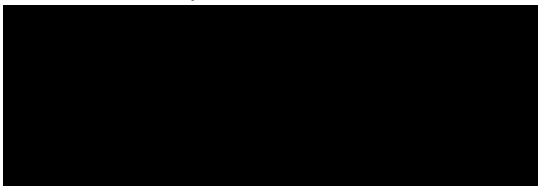
Appendix 5: Site Profiles – Allocated Housing and Employment Sites - 1HA - Land South of Billinge Road, East of Garswood Road and West of Smock Lane, Garswood

The Company are generally supportive of the proposed amendments to the site profile for Site 1HA. As per our Matter 4 Hearing Statement, any financial contribution sought towards upgrades to Garswood Station (bullet 2 (D)) should be CIL compliant and directly related to the development.

I trust that the above comments are clear and will be given consideration when finalising the Local Plan in advance of its adoption.

Should you wish to discuss any comments further, please do not hesitate to contact me.

Yours faithfully



Sean McBride
Persimmon Homes (North West) Ltd



RO1151

[REDACTED]

From: David McCarthy [REDACTED]
Sent: 11 January 2022 15:12
To: planningpolicy@sthelens.gov.uk
Subject: Response to the St.Helens local plan main modifications 8HS
Attachments: ECRA MM Submission_Jan22.docx

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Mr David John McCarthy
16 Crantock Grove
Windle
St.Helens
Merseyside
WA10 6EJ

[REDACTED]

Dear Sir

In response to the St.Helens local plan main modifications I have been told by a representative of ECRA that it would be possible to use their response to the modifications to the local plan for my objection as well.

Sent from my iPad



**Response to
ST HELENS LOCAL PLAN
Main Modifications
January 2022**

INTRODUCTION

Eccleston Community Residents Association (ECRA) with Windle

ECRA (Eccleston Community Residents Association) was formed in 2016, primarily to oppose proposals to build on Green Belt sites included in the St. Helens Local Plan Preferred Options (2016). Residents from Windle supported this organisation and the two parishes joined together to campaign against overdevelopment in the Eccleston and Windle area. ECRA with Windle, (hereinafter to be referred to as ECRA) has responded to a groundswell of local opinion in favour of retaining Eccleston and Windle site 8HS as Green Belt - we trust our submission reflects the views of our community.

Our response to the Submission draft (May2019) remains a significant comment on the Local Plan process (May 2019) and we remain convinced by our argument stated therein.

ECRA believes the plan is not sound and needs to be modified, specifically that the parcel of Green Belt 8HS in Eccleston and Windle should NOT be removed for development in the next 15 years nor safeguarded for longer term development.

Report from Kirkwells - SHGBA Response to Main Modifications

This report, by ECRA (January 2022) fully endorses and complements the SHGBA submission by Kirkwells Planning (January 2022).

In our initial report, ECRA demonstrated and maintain that:

1. there are no exceptional circumstances to justify not using the standard method.
2. the economic analysis is flawed and based on over-optimistic assumptions.
3. the area of land needed for development is not as great as set out in the Local Plan.
4. there are, therefore, no exceptional circumstances to change Green Belt boundaries.
5. other reasonable alternatives have not been fully explored, including lower target figures and using more previously developed land.
6. the policy and process for progressing the identification and remediation of contaminated land in preparation for entry onto the Brownfield Register is not robust.
7. these alternatives will have less impact on the environment and result in a reduced need for new infrastructure.
8. the Green Belt Reviews are inconsistent and biased.
9. the Council have failed to co-operate with other councils and have not published any statement(s) of common ground.

ECRA have further developed the evidence concerning points 5, 6 and 7. These pertain directly to Main Modification 11 and are detailed below.

St Helens Council should amend the plan - retaining Green Belt and allocating more previously-developed land.

ECRA Comments on Main Modifications

MM001 to 005 – no comment

MM006

4.6.11 As previously identified, all the neighbouring Authorities have, or are planning to, build more housing units than the ONS (2014, 2016, 2018) has stated are needed. This will result in an oversupply in the North West and, as a consequence, will remove Green Belt unnecessarily.

4.6.12 There is an assumption that the new housing is to accommodate current residents when this is not the case. The current population of St Helens is housed, and the average household size is 2.1 which is less than the national average of 2.3. It is unclear how the new Local Plan can guarantee delivery of affordable or special needs housing for residents as there is no evidence that affordable housing targets have been met in over 10 years, as identified in the current Local Plan and Plan reviews.

4.6.25 The Council state that “Open spaces and landscaping, including those provided within development sites also provide opportunities to adapt to climate change by storing flood water, reducing urban heat islands, capturing carbon and improving air quality, and therefore support the Council’s Climate Change Emergency declaration.”

Building on Green Belt is contrary to these aspirations – particularly on 8HS, which is mainly Grade 1 and 2 agricultural land, contains a flood zone, and protects residents from the air pollution caused by the proximity of the A580.

4.6.29 ECRA welcomes the partnership with the English Cities Fund and the emphasis on regeneration. It would be wise to await the outcomes of this before safeguarding Green Belt land for development in 15 years’ time.

MM007 - 008 No comment

MM09 We fully support this response made by Kirkwells on behalf of the SHGBA, which contests the findings of the Green Belt review for 8HS:

“SHBC’s exceptional circumstances argument is flawed. By acknowledging that this is a “significant greenfield site” and that the site “forms a sizeable outward extension of the urban area into the countryside” – SHBC’s “exceptional circumstances” case demonstrates that the site serves 3 of the 5 purposes of Green Belt:

- a) it checks the unrestricted sprawl of a large built-up area;
 - c) it assists in safeguarding the countryside from encroachment;
- and
- e) it assists in urban regeneration, by encouraging the recycling of derelict and other urban land.

The MM wording demonstrates that the site makes a high, rather than low, overall contribution to the purposes of Green Belt.”

MM010 No comment

MM011

1. If the housing supply falls below the numbers needed, the Council will “Seek funding to unlock brownfield sites to boost housing supply.” We do not believe that the Council should wait for sporadic triggers to put this policy into action. They could be more proactive and optimize the funding opportunities which result from being a Liverpool City Region (LCR) member. In October 2021, Michael Gove spoke out on the Government’s behalf, saying: “Making the most of previously developed land is a government priority” and this was backed by the release of a £75m Brownfield Release Fund on October 12th, 2021. The latest list of monies allocated was released on November 30th, 2021, and this does not include St Helens.

Due to our industrial heritage, we have a high proportion of potentially contaminated land which is currently regarded as unfit for development. The Council policy on this appears not to be implemented. ECRA have been pressing for answers from Council officers and Councillors about the Contaminated Land Inspection Strategy because the processes which should sit coherently alongside this strategy are sadly ineffectual (Appendix 2) This means that over 6000 sites await inspection, and we await an explanation as to why this has been so since 2017.

ECRA had previously identified these issues and opportunities in its report on the Local Plan, May 2019. (Appendix 1)

2. St Helens Council have commissioned a Habitat Regulation Assessment as one of their submission documents for the Local Plan. The latest version (October 2021) makes clear that 8HS is a site of importance for wildlife. It highlights that development on 8HS is likely to have significant effects due to the possibility that it contains land suitable for non-breeding birds. The consequences of this recognition resulted in the Council updating its Policy LPC06 Biodiversity and Geological Conservation, to put stricter requirements in place.

These require future development proposals to adequately assess and mitigate for the loss of functionally linked habitat. To prove this, a survey will be required to determine the current use of the site including a non-breeding bird survey to determine if the site and neighbouring land constitute a significant area of supporting habitat. If it is identified that habitat within the site or adjacent land supports significant populations of designated bird features, avoidance measures and mitigation will be required. Any planning application would be likely to require a project specific Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity.

Eccleston and Windle residents have been reporting sightings of wildlife to the Merseyside Biobank project, so we are well aware that 8HS is an important site for non-breeding birds. Recently a significant number of pink footed geese were photographed on 8HS. ECRA believe that this fact should have been considered in both the Green Belt Review and the Local Plan review. The only certain mitigation is to leave the site in the Green Belt.

It is obvious that an Environmental Impact Assessment (EIA) would be required before any detailed planning can be undertaken on 8HS. The St Helens Council “Nature Conservation SPD (Supplementary Planning Document) is still in draft form (October 2020) and we believe this is a key document that should be addressed before the Local Plan can be approved. An EIA must also consider any biodiversity issues which extend beyond the boundary of the development site and the neighbouring Catchdale Moss is recognised as an important area for farmland birds such as yellowhammer, corn bunting and tree sparrow.

Documents - [sd019-st-helens-council-draft-nature-conservation-spd-2020.pdf](https://www.sthelens.gov.uk/sites/default/files/2020-10/sd019-st-helens-council-draft-nature-conservation-spd-2020.pdf) (sthelens.gov.uk)

MM012 St Helens Council have added the following in bold:

6. Direct access from new development on to the Strategic Road Network will only be permitted **as a last resort**, where agreed by Highways England **and where the necessary levels of transport accessibility and safety could not be more suitably provided by other means.**

The outline proposal for 8HS includes a new roundabout on the A580 from Houghton's Lane, which directly contravenes this statement. If this had been considered during the Green Belt Review, 8HS would not be allowed to progress.

MM013 – 025 No comment

MM026 St Helens Council have added the following in bold:

- 7. Further details concerning the implementation of this policy will be set out in the Council's proposed Nature Conservation Supplementary Planning Document."**

The Nature Conservation Supplementary Planning document is in draft form (October 2020) and contains Climate and Ecological issues of vital importance to the validity of the plan.

MM027 - 046 No comment

ECRA suggest that the plan needs to be modified, specifically that the parcel of Green Belt, 8HS in Eccleston and Windle, should NOT be removed for development in the next 15 years or safeguarded for longer term development.

Appendix 1

The following is from the ECRA Response to the Local Plan Submission Draft (May 2019)

Contaminated, Previously Developed and 'Brownfield' Land

ECRA calls upon the council to rigorously adopt policies to bring forward contaminated, previously-developed or 'brownfield' land, in the plan period, to ensure that both Sections 8 c) and 11 of the NPPF (February 2019) are satisfied (Appendix 1). There is a concern that the Brownfield First policy commitment of the council is weakened significantly by the addition of the wording: "as far as practicable."

ECRA calls upon the council to be proactive in the implementation of its documented strategies and joint working arrangements, as detailed in the SHMBC Contaminated Land Inspection Strategy, revised January 2017 (CLIS). This strategy (CLIS) highlights the fact that "contamination in St Helens is widespread, due to the area's industrial heritage and the nature of its past industries" (p.35 Contaminated Land Inspection Strategy Revised January 2017 CLIS). Furthermore, it is noted that "Tackling the historic legacy of contaminated land through the regeneration process is a sub-regional priority. Its importance is being flagged up through joint working arrangements at the sub-regional level including:

- Liverpool City Region Combined Authority and its future delivery of a Spatial Framework covering the City Region;
- The Local Enterprise Partnership (LEP);
- City Region Growth Strategy (LEP);
- EU Investment Plan 2014-2020 (LCR EU Structural and Investment Funds Strategy 2014-2020);
- Local Nature Partnership". (p.11 & p. 12 CLIS)

Two key strategic aims within this strategy suggest that STHMBC has an appetite to protect valuable Green Belt whilst acting to remediate sites which are currently deemed unsuitable for re-development:

- "to assist regeneration, improvement of the environment and protection of the Green Belt through effective links with wider Council and regional policies;
- to encourage, where appropriate having due regard to ecological importance, the reuse and remediation of brownfield land through the planning regime in accordance with the National Planning Policy Framework (NPPF) to ensure that new developments are suitable for use." (p.36 CLIS)

However, there is a distinct lack of cohesion between these documented intentions and the Council's own evidenced activity, particularly when viewed in the context of the SHLPSD. The Contaminated Land Inspection Strategy states that "speed and progress during implementation of this strategy continues to be dependent on the resources available".

A rolling programme of detailed inspections commenced in 2009 and is reviewed annually. Notably the progress has been reactive rather than proactive; during the last 10 years the programme has been entirely as stated in the strategy, i.e. "Much of the action taken to deal with land contamination has been development-led, through the planning and development management process." (p.33 CLIS).

SHMBC published a statement of Contaminated Land (CL) sites, 2015, shown as Table 35 (Appendix 1) – Brownfield and Contaminated Land. The table illustrates that 3,170 ha of the lowest priority contaminated land exists in St Helens, whilst the SHLPSD states that 148 ha of Green Belt are in

jeopardy of reclassification to become Safeguarded land, to fulfil a questionable housing need. **This area equates to less than 7% of the 3,170 ha CL. Hence the need for reclassification of Green Belt to Safeguarded land could be totally eliminated if the process outlined in the Strategy (CLIS) was rigorously adopted.**

It is not surprising therefore that the slow rate of progress is of great concern to ECRA and it is entirely wrong to risk the loss of Green Belt rather than implement a robust policy and efficient process for remediation.

SHMBC suggest that funding poses a barrier and the CLIS states:

“Local authorities are required to investigate potentially contaminated sites in accordance with the Statutory Guidance and, where necessary, at their own expense. Where sufficient evidence is obtained to conclude that sites are Contaminated Land, the” polluter pays” principle will apply, ... Where no responsible person(s) can be found, the local authority may be required to undertake this work at their own expense.”
(p.49 CLIS)

Presumably with this in mind, Leader of the Council (SHMBC), Cllr Derek Long on national TV (June 2018), stated that two-thirds of St Helens was made up of contaminated land and that it would cost £40m to remediate. ECRA question why would the Council leave two-thirds of the borough to languish and blame a lack of central government funding when there is a regional funding under-spend?

St Helens is part of the Liverpool City Region. Liverpool City Region (LCR) hold a Strategic Investment Fund (SIF) which, in February 2019, was reported, by the Liverpool Echo, to be £80m underspent. The newspaper quoted Mark Bousfield, Director of Commercial Development and Investment for the LCR as follows: “The £80m that was not spent during the first phase is still available and has been rolled into our new £500m Strategic Investment Fund.”

“The SIF will support projects that:

- “Unlock unviable housing sites in order to accelerate housing delivery in the City Region;
- ...are located in areas of strategic significance and deliver neighbourhood regeneration;
- include development of housing on Brownfield sites...”

ECRA question why would St Helens Council fail to apply, via the Combined Authority SIF, for redefinition monies? SHMBC and St Helens Chamber are eligible to bid into the SIF – why don't they collaborate; optimise their development team capacity and make viable bids to this fund?

This shows that vital funds, from the SIF, are within the Council's reach and could be used commensurate with the LCR's Sustainable Urban Development Strategy.

ECRA was pleased to hear the announcement, in February 2019, that SHMBC is taking part in a national pilot to look at innovative ways to bring small brownfield sites back into use. This is a study supported and funded by the Local Government Association, together with the consultancy firm – Local Partnerships. Cllr Derek Long (Leader of the Council) suggests “a renewed focus on a brownfield-first policy (where possible)”. If this offers a vehicle to identify new models for bringing brownfield sites forward, then it is obviously welcomed. ECRA equally trusts that findings/outcomes of this pilot will mitigate the moves to safeguard land.

ECRA would support all viable means by which St Helens Council could identify and process more Brownfield and Contaminated land to make it available for development within the period of the plan.

ECRA's evidence shows that there can be a meaningful and sustainable change in policy to recover contaminated land during the next 15 years, and hence there is no requirement for any Safeguarding for development beyond the plan period, and no exceptional circumstances for removing land from the Green Belt.

ECRA is concerned that:

1. The SHLPSD ignores any provision in meeting the housing need from Unsuitable sites. These sites have been excluded on the basis that it is not possible to bring them forward for development during or beyond the period of the proposed SHLPSD.
2. Policy LPA06 of the SHLPSD sets out the council's view that Safeguarding is needed to ensure the long-term development needs for housing beyond 2035. However, ECRA understands that the acknowledgement within the SHLPSD that housing needs will be lower after 2035 effectively means that 2955 dwellings from Allocated sites (even using 468 units) would provide over 6 years supply.
3. Designating high quality agricultural land now, as development land for the period beyond 2035 (by which time circumstances and needs will have changed), does not accord with the principles of sustainability and is not an efficient custodianship of precious land resources.
4. Whilst remediation may be an expensive and complex process, the type, extent and cost of remediation of contamination will vary. Safeguarding land for future development will act as a disincentive for landowners to work in conjunction with developers to remediate and develop contaminated land. (Further exploration of this point can be found within Appendix 2)

ECRA ultimately demonstrate that these factors, combined with a high level of community concern, with regard to non-compliance with NPPF, regional strategies and SHMBC's own policies indicates that the safeguarding provisions in the SHLPSD are absolutely unnecessary and as such should be withdrawn completely.

Appendix 2

Fwd: RE: Major Modifications to the Local Plan

Su Barton [REDACTED]

16/11/2021 10:40

To Sean Traynor

Good Morning Mr. Traynor,

as the Consultation on the Local Plan opens on Thursday, we were wondering if there is any further detail regarding our questions on Contaminated Land? The availability of new government funding could have a significant impact on available building land, both before and after 2037? As this is new money, it makes sense to take it into consideration as the Local Plan may be adopted in 2022 and this money could ensure that safeguarded land will not be required after 2037.

kind regards,

Su Barton

Communication Lead for ECRA, with Windle

----- Original Message -----

From: Su Barton [REDACTED]

To: Sean Traynor [REDACTED]

Date: 01 November 2021 at 13:32

Subject: RE: Major Modifications to the Local Plan

Dear Mr Traynor,

Thank you for your response, ECRA, with Windle, appreciate all the council are doing to build on Brownfield sites, where it is possible to do so. We are aware, however, that there are opportunities for further use of Brownfield and Contaminated Land and have some questions about this. This has been highlighted by both the government, in their recent budget announcements, and the Labour party's emphasis on the continuing need for agricultural land as a food provider(supported by Conor McGinn, Sept 2021). The government has announced that it will make new money available for the remediation of contaminated land and we hope that St Helens Council will be looking very carefully at applying for this new money.

The Contaminated Land Strategy was last revised in 2017. In Table 1, the number of potentially contaminated sites is 9,105 with a suggested inspection rate of 200 sites per year. This is partly in response to Part 2A of the Environmental Protection Act 1990 which was introduced in England and Scotland in 2000 placing duties on local authorities to identify potentially contaminated sites in their area and ensure that they are cleaned up appropriately. I have tried to find a Contaminated Land Register detailing sites that are deemed to be contaminated, sites that have been inspected along with their outcome, and sites still to be inspected, but none appears to exist online.

Could you confirm that a Contaminated Land Register is available and is updated as detailed in the Council Contaminated Land Strategy?

How many sites have been inspected since 2017?

How many sites are due to be inspected in 2021/22?

Is there a priority list of sites to be inspected?

Presumably more potentially contaminated sites will be identified and added to this list – is there a process for this?

The Executive Summary of the same report suggests that only 6 sites had been investigated between 2006 and the publication date of 2017. How does this tally with the proposed 200 sites per year? Is this programme still Council policy?

Of course, not all contaminated sites will prove to be a problem, indeed, many contaminated sites have been successfully and safely redeveloped to provide high quality housing and working environments. The UK Government now wants to bring as much Brownfield land as possible back into use. By encouraging the regeneration of previously developed land this limits unnecessary development of Greenfield sites, helps preserve the countryside and protects against urban "sprawl". In order to implement their strategy, they have made funds available to assist councils to remediate areas of contaminated land within their borough. It would appear sensible to use available funds to move suitable contaminated sites into the Brownfield Category and, considering St. Helens' industrial past, it seems inconceivable that some of this money would not be made available to the council should they apply.

Can you please confirm that the council intend to apply for the new funds available from the Government?

If the application is successful and suitable sites become available as part of the inspection process, then maybe this Contaminated/Brownfield land could be safeguarded for after 2035 removing the need to safeguard Greenbelt and particularly sites such as 8HS which is predominantly grade 1 agricultural land and an ideal example of the type of land the Government and the Labour party is trying to protect.

regards,

Su Barton

Communication Lead for ECRA, with Windle

On 19 October 2021 at 12:10 Sean Traynor [REDACTED] wrote:

Good afternoon Su and thanks for your email of 10 October. I hope that this response on behalf of the Leader of the Council is of assistance.

As you note, through our partnership with the English Cities Fund, the Council has been considering the regeneration opportunities for the town centres of St Helens and Earlestown. In doing so, Draft Masterplan Development Frameworks have been prepared for each centre, setting out a vision, objectives and proposals for each. The Strategic Objectives for both draft masterplans include 'promoting high-quality town centre living' and 'creating a sustainable, accessible and connected town centre'. More information (and links to the documents) can be found here - <https://www.sthelens.gov.uk/news/2021/october/12/ambitious-plans-set-for-regeneration-of-st-helens-and-earlestown-town-centres/>. Subject to the agreement of the Cabinet, these documents will be consulted on for 6 weeks from the 1 November, and we would welcome your views via the available feedback channels.

With regards to the use of brownfield land, you will be aware of the Council's enviable record in supporting the development of high-quality family housing on previously developed sites where this is possible. Recent examples include Moss Nook, where the Council has helped secure significant financial support from the Liverpool City Region to make the site viable, and the former Cowley Hill Works site that will deliver over 1,000 new homes, plus there are many others that I could reference.

In terms of the Local Plan, the Council is currently in the process of finalising the Main Modifications to the Plan. They have been requested by the Planning Inspectors as changes necessary to make the Local Plan "sound", as required by national policy, based on all the evidence submitted to the Examination to date, both written and verbal. The proposed Main Modifications will be presented to a future Cabinet meeting, and subject to Cabinet approval, a public consultation on them will be undertaken. You will therefore have the opportunity to comment further, and this will be taken account of by the Inspectors in their further considerations as part of the Local Plan process.

As you may be aware, during the public hearing sessions earlier this year, the Inspectors chaired a detailed discussion on the Council's stated housing land supply supporting the Plan. This considered the inclusion of individual sites in the supply in rigorous detail, as well as whether there were further sites that should be added to the supply. Based on all the evidence presented, it has simply not been the case that the Inspectors consider there is sufficient brownfield site availability to meet development needs, without releasing Green Belt. There is therefore no sound evidential basis on which to modify the Plan to remove the proposed Green Belt release.

Of course, the Council will continue to keep up to date on changes to national planning policy and legislation, but there is no clear directive from Government at this stage to suggest the Council should change its approach. Indeed, following the publication of the Planning White Paper last year, which mooted changes to the planning system, the Government's Chief Planner strongly encouraged Local Authority's to continue in the preparation and adoption of Local Plans as St Helens has done.

Kind Regards

Sean Traynor
Director of Strategic Growth
Place Services | St.Helens Council | Town Hall | Corporation Street | St.Helens | Merseyside | WA10 1HP

████████████████████
██

From: Su Barton [REDACTED]

Sent: 10 October 2021 18:13

To: Councillor David Baines [REDACTED]

[REDACTED]

Subject: Major Modifications to the Local Plan

Dear Councillor Baines,

I hope this finds you well. ECRA, with Windle are encouraged to read of the progress being made in breathing new life back into our Town Centres. We look forward to hearing more about this and sincerely hope that it includes affordable housing in Brownfield locations which are well served by infrastructure and accessibility to jobs. As you know, any announcements that include these key issues will be welcomed by residents and business alike, as well as ensuring we are protecting our climate by potentially reducing pollution from unnecessary private car journeys.

You will also be aware that Boris Johnson and Michael Gove are reviewing the NPPF and Planning law. In his speech to the party conference, Boris stated that 'you can... see how much room there is to build the homes that young families need... beautiful homes, on brownfield sites in places where homes make sense.' There is certainly an indication that both housing targets and building on Green Belt are being reviewed by central government.

With this in mind, and looking forward to your announcement on the future of our Borough, it would be the ideal opportunity to ensure that the Major Modifications to the Local Plan acknowledge the increased availability of Brownfield sites and look to eliminate all planned building on Green Belt. ECRA have previously shown how this can be done in our responses to the consultation. If some newspapers are correct, it would appear that the government may look to prevent Local Authorities from removing Green Belt - perhaps St Helens Council could introduce this popular measure prior to any announcement and regain the public trust as a result?

We look forward to hearing more about the developments in due course,

regards,

Su Barton

Communication Lead for ECRA, with Windle

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R01154

St Helens Borough Local Plan 2020 - 2035 Submission Draft - Representations to Main Modifications (Representor ID: RO1154) [NLP-DMS.FID748847]

Green category X

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AM Andy McLaren [Redacted]
 Thu 13/01/2022 16:26
 To: planningpolicy@sthelens.gov.uk

41874_05 St Helens TW ...
 13 MB

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Dear Sir or Madam

On behalf of our client Taylor Wimpey UK Limited (Representor ID: RO1154), please find attached representations submitted in response to the publication of the Proposed Main Modifications to the SHBLP Submission Draft.

We trust these representations will be taken into consideration and we look forward to receiving confirmation of receipt. Should you have any queries or wish to discuss these representations further then please contact us.

Kind regards

Andy

Andy McLaren
Planner
 Lichfields, Ship Canal House, 98 King Street, Manchester M2 4WU

lichfields.uk  



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St Helens Borough Local Plan 2020 - 2035

Our ref 41874/05/CM/AMCL

Date 13th January 2022

Subject **Representations on behalf of Taylor Wimpey UK Limited [ID ref:RO1154] to the Proposed Main Modifications**

1.0 Introduction

- 1.1 Lichfields is instructed by Taylor Wimpey UK Limited [TW] to make representations on its behalf to the St Helens Borough Local Plan 2020-2035 [SHLP]. This statement has been prepared in response to the publication of the Proposed Main Modifications to the SHLP Submission Draft.
- 1.2 TW is seeking to bring forward high quality, well designed and sustainable strategic residential sites at:
- 1 Gartons Lane, St Helens [Local Plan Site Reference: 5HA] and;
 - 2 Gorsey Lane, St Helens which forms part of the wider Bold Forest Garden Suburb [Local Plan Site Reference: 4HA].
- 1.3 Taylor Wimpey is wholly supportive of the allocation of both the sites in the SHLP and considers that the identification of the sites as residential allocations will assist in boosting the supply of housing in St Helens. It will also assist in delivering sustainable development by contributing towards meeting the needs of market and affordable housing, creating employment during the construction period and mitigating any impact on the environment.
- 1.4 This statement expands upon TW's previous representations made throughout the Local Plan preparation process, including responses to the Matters, Issues and Questions raised by the Inspector for the Examination in Public [EiP] hearing sessions.
- 1.5 The representations are set out to address each relevant modification separately. Where relevant, the comments made are assessed against the tests of soundness established by the National Planning Policy Framework [Framework] and the National Planning Policy Practice Guidance [Practice Guidance].

Modification Ref. MM004 (Para. 3.3 Ensuring delivery of the aims and objectives)

- 1.6 MM04 proposes to insert new paragraphs 3.3.2 and 3.3.3. Paragraph 3.3.3 sets out that the Plan proposes to produce new Supplementary Planning Documents [SPDs] to support the implementation of policies, including SPDs for Developer Contributions and Open Space Provision and Enhancement. TW considers that the details on such policies should be prepared at the Local Plan preparation stage, so that the findings inform policy preparation and viability implications considered up front rather than through an SPD.

- 1.7 The Practice Guidance¹ sets out that that SPDs “*should build upon and provide more detailed advice or guidance on policies in an adopted local plan*”. However, the Practice Guide also states that SPDs “*should not add unnecessarily to the financial burdens on development*”. Any future SPDs for developer contributions or open space provision should only provide guidance and clarity on adopted policies and not seek to introduce new requirements which are not being considered as part of the viability evidence tested at examination. TW considers that any potential developer contributions should be fully incorporated into the viability testing in support of the SHLP, and additional contributions should not be introduced at a later stage following adoption of the Plan. The Council’s proposed approach would not comply with national policy and guidance and could have the potential to place unnecessary financial burdens on development which has not been sufficiently justified through the Local Plan preparation process. In this context the modification set out in paragraphs 3.3.2 and 3.3.3 fail to meet the tests of soundness contained in the Framework [para.35] as they are not justified.

Modification Ref. MM006 (SHLP Policy LPA02)

- 1.8 MM006 introduces a number of modifications to SHLP Policy LPA02. Additional text has been added to Section 5 (previously Section 4) of the Policy to refer to the requirement for the delivery of compensatory improvement measures within areas remaining in the Green Belt following any release of Green Belt land for development purposes. The change has been included in order to provide clarity and ensure consistency with the Framework [para.142].
- 1.9 In relation to this modification, TW notes that the Bold Forest Park Area Action Plan [AAP], which is a statutory document, was adopted in July 2017 and sets out detailed policies and actions for the development of the area. Policies in the AAP seek to ensure that new development in the Bold Forest Park area contributes to the further enhancements of the area, including contributing towards the infrastructure and improving connections with the urban area. As required by the Framework[§142], these compensatory improvements will offset the impact of the Bold Forest Garden Suburb’s removal from the Green Belt.
- 1.10 The SHLP sets out the requirements for the Bold Forest Garden Suburb (4HA) and states that development must be consistent with the vision, aims, objectives and policies of the AAP. In order to accord with AAP Policy INF6, the requirements for Allocation 4HA state that development must provide a choice of segregated foot, bridleway, and cycle routes through the site to facilitate access between homes, workplaces, recreational facilities, and other key services in the area. Development of the allocation is also required to promote extensive green links and tree planting to support the AAP objective to increase tree cover by 30% across the Bold Forest Park area.
- 1.11 St Helens Borough Council [SHBC] has stated that a masterplan will be developed for the Bold Forest Garden Suburb (this is reflected in MM018 - Policy LPA13). The masterplanning exercise will facilitate the delivery of the allocation in line with the objectives of the AAP, including critical infrastructure and design.
- 1.12 TW consider that the allocation of the Bold Forest Garden Suburb (4HA) is consistent with the strategy and objectives of the AAP. The AAP policies have been incorporated within the requirements for Allocation 4HA and will ensure the development provides compensatory improvements in line with the Framework [§138].

¹ Paragraph: 008 Reference ID: 61-008-20190315

- 1.13 Further modifications have also been made to the reasoned justification for Policy LPA02, which are supported by TW. A proposed new paragraph (4.6.13) sets out that for a number of reasons identified in paragraphs 4.6.10-4.6.12, there are considered to be exceptional circumstances at the strategic level to justify the release of Green Belt land to meet identified housing development needs in St Helens. TW agrees with the conclusion that exceptional circumstances exist, and considers that new paragraphs 4.6.10-4.6.13 are an important inclusion within the SHLP as they clearly provide the strategic case for exceptional circumstances to justify the removal of land from the Green Belt.
- 1.14 New paragraph 4.6.20 sets out that the Council aims to protect and enhance remaining areas of Green Belt by seeking the delivery of compensatory improvement measures when sites are released from the Green Belt for development as part of this plan. TW reiterate that policies in the AAP seek to ensure that new development in the Bold Forest Park area contributes to the further enhancements of the area, including contributing towards the infrastructure and improving connections with the urban area. As required by the NPPF [§142], these compensatory improvements will offset the impact of the Bold Forest Garden Suburb's removal from the Green Belt.
- 1.15 TW also supports the inclusion of new paragraph 4.6.22 which seeks to build on project improvements delivered to date relating to Green Belt compensatory measures such as the Bold Forest Park AAP. Overall, the modifications proposed are considered to be consistent with National Policy [para. 142]

Modification Ref. MM009 (SHLP Policy LPA05)

- 1.16 MM009 includes a number of modifications to SHLP Policy LPA05 (Meeting St Helens Borough's Housing Needs), including an additional section within the reasoned justification which provides the site specific exceptional circumstances for the proposed housing allocations justifying their release from the Green Belt.

New paragraphs 4.18.26 and 4.18.27

- 1.17 TW supports Allocation 4HA (Land bounded by Reginald Road / Bold Road / Travers Entry / Gorsey Lane / Crawford Street, Bold (Bold Forest Garden Suburb)) and the inclusion of additional text in relation to Allocation 4HA to clearly state that exceptional circumstances exist for the release of the site from the Green Belt.
- 1.18 New paragraph 4.18.27 sets out that the site would be *"sufficiently large to include new social infrastructure (i.e. a new primary school, local retail centre and potentially health facilities)."* TW support the allocation and the provision of important social infrastructure. However, TW has significant concerns with the viability approach adopted in the SHLP Economic Viability Assessment [EVA] (2018 and 2021 Update). A Viability Technical Report (December 2021) **(Appendix 1)** has been prepared by Cushman & Wakefield to accompany TW's Main Modification representations, which assess the viability approach and assumptions used in the SHLP EVA. Appendix 1 sets out TW's main concerns with the document and the perceived potential implications. ***It should be noted that aspects of the Viability Technical Report are P&C and the document should therefore not be uploaded to the Council's Examination webpage.***
- 1.19 TW notes that it is imperative that the approach and assumptions adopted in the SHLP EVA are realistic and market-facing to support an accurate assessment of development viability in St Helens. TW sought to emphasise this issue at the EiP but the EVA has ignored the concerns that

have been raised. The findings of the SHLP EVA are crucial to ensure that the proposed policies, sites and scale of development within the Local Plan are deliverable, and that policy requirements are set at realistic and achievable levels which do not compromise site viability.

- 1.20 Having reviewed the viability approach and the assumptions proposed in the SHLP EVA, TW is concerned that many of the key inputs are insufficiently evidenced and/or are inappropriate for the purposes of testing the viability of residential development in St Helens at the plan-making stage. In fact, it is considered that the LPEVA is fundamentally flawed, unjustified and unsound in respect of the approach to build costs, meaning that the updated results for all typologies are inaccurate, unreliable and carry no weight.
- 1.21 There are other significant flaws associated with the proposed approach and assumptions in the SHLP EVA, both in respect of the supporting evidence base and the individual input assumptions as set out in **Appendix 1**.
- 1.22 It is not a prudent approach to adopt unrealistic appraisal inputs so as to demonstrate a viable position based on the emerging policy requirements at the plan-making stage. Rather, the viability evidence needs to be robust and based on a proportionate assessment of the cumulative cost of all relevant policies, to ensure that there are no adverse implications in respect of site deliverability and land supply based on policy requirements which are introduced using the findings of the SHLP EVA.
- 1.23 Should the current viability inputs remain the same it is considered that the SHLP EVA will not provide an accurate or robust viability assessment but will serve to overstate viability in St Helens for all typologies. When all inappropriate assumptions are combined in the testing, the aggregate impact is significant. This, in turn, will likely result in policy requirements being set at unrealistic levels. The resultant cumulative policy burden could therefore compromise site deliverability across all sites within the Plan.
- 1.24 Taylor Wimpey is concerned that these overall issues with the EVA could filter down and have an adverse impact on the viability position of all sites in St Helens. The lack of a robust EVA could also result in appeals which may be costly for both the Council and the housebuilding industry. It is therefore strongly recommended that the Council revisits the proposed approach and assumptions, and gives due consideration to the issues raised in the Viability Technical Report (December 2021) (**Appendix 1**).

New paragraph 4.18.28

- 1.25 TW strongly supports Allocation 5HA (Land South of Gartons Lane and former St. Theresa's Social Club, Gartons Lane, Bold), and the inclusion of additional text in relation to Allocation 5HA to clearly state that exceptional circumstances exist for the release of the site from the Green Belt.
- 1.26 New paragraph 4.18.28 sets out that *“development of the site provides the opportunity to facilitate improvements in line with the Bold Forest Park Area Action Plan.”* TW supports the allocation of the site and the aim to contribute to and facilitate improvements in line with the Bold Forest Park Area Action Plan. However, any improvements which are sought as part of the allocation of the site through the SHLP, must be appropriately accounted for in the SHLP EVA viability testing.

Modification Ref. MM013 (SHLP Policy LPA08)

Section 5

- 1.27 MM013 proposes a number of modifications to SHLP Policy LPA08 (Infrastructure Delivery and Funding). Additional text is included at Part 5 which states that *“in light of the viability evidence, where a developer can demonstrate that meeting all policy requirements would not be viable, a pragmatic approach will be taken to S.106 contributions on sites within Zone 1.”* TW considers that a pragmatic approach should be applied to s106 contributions across all charging zones within St Helens, as opposed to sites within Zone 1 exclusively.
- 1.28 It is important that all sites, particularly large-scale strategic sites, should benefit from a pragmatic and flexible approach to S.106 contributions as there may be site-specific circumstances on each individual site which comes forward which have not been accounted for in the plan-wide testing. The LPEVA cannot account for all eventualities irrespective of the adopted assumptions. It is therefore regarded as essential that there is sufficient flexibility in the policies to enable viability to be reassessed at the application stage where necessary and for policy requirements to be relaxed where robustly justified on viability grounds.

Modification Ref. MM018 (New Policy LPA13 and associated Reasoned Justification)

- 1.29 MM018 proposes a new bespoke policy (LPA13) for Allocation 4HA (Bold Forest Garden Suburb) due to its scale. TW supports the inclusion of Policy LPA13 in the SHLP. However, as set out in TW’s response to MM009, TW has significant concerns with the viability approach adopted in the SHLP EVA (2018 and 2021 Update) as evidenced in the accompanying Viability Technical Report (December 2021) (**Appendix 1**).
- 1.30 It is considered that the LPEVA is fundamentally flawed, unjustified and unsound in respect of the approach to build costs, meaning that the updated results for all typologies are inaccurate, unreliable and carry no weight. There are other significant flaws associated with the proposed approach and assumptions in the SHLP EVA, both in respect of the supporting evidence base and the individual input assumptions. It is also considered that the Council should not proceed to base policy requirements on the results of the updated testing as it is considered that KM have overstated the viability of development, as detailed in Appendix 1. The policy requirements including 30% affordable housing provision are not justified as KM have not robustly and transparently demonstrated that all such requirements are deliverable. At present, TW has significant concerns as to whether the proposed obligations are viable for all new build sites across the District.
- 1.31 Should the current viability inputs remain the same it is considered that the SHLP EVA will not provide an accurate or robust viability assessment but will serve to overstate viability in St Helens for all typologies. When all inappropriate assumptions are combined in the testing, the aggregate impact is significant. This, in turn, will likely result in policy requirements being set at unrealistic levels. The resultant cumulative policy burden could therefore compromise site deliverability across all sites within the Plan.
- 1.32 Taylor Wimpey is concerned that these overall issues with the EVA could filter down and have an adverse impact on the viability position of all sites in St Helens. The lack of a robust EVA could also result in appeals which may be costly for both the Council and the housebuilding industry. It is therefore strongly recommended that the Council revisits the proposed approach

and assumptions, and gives due consideration to the issues raised in the Viability Technical Report (December 2021) (Appendix 1).

- 1.33 It is considered that significant amendments are required for the viability evidence to be found sound. To be clear, the issues identified in the report and the flaws in the SHLP EVA affect the deliverability of all sites in St Helens and it is imperative that the necessary revisions are made.
- 1.34 Policy LPA13 also states in relation to landscape and biodiversity (Part K) that *“the development must provide a well landscaped setting including extensive green links through and around the site, and tree planting to reduce impact on the landscape and promote the objective of the BFPAAP to increase tree cover by 30% across the Bold Forest as a whole”*. TW supports the aspirations of the BFPAAP to increase tree cover by 30% across the Bold Forest as a whole. However, TW also notes the assumption used in the SHLP EVA for the purposes of the viability testing, for all sites over 2ha to achieve 75% Net Developable Area (NDA) (which includes Allocation 4HA). It should therefore be ensured that the aspiration to increase tree cover across the Bold Forest by 30% does not adversely impact the viability of Allocation 4HA by reducing the NDA of the allocation site, or the requirement should be subject to flexibility based on the viability evidence.

Policy LPA13 (3)

- 1.35 Paragraph 3 of Policy LPA13 sets out that in accordance with Policy LPA05.1 (Section 2), any planning application for development within the site will need to be supported by a comprehensive masterplan covering the whole of the Bold Forest Garden Suburb site. TW does not disagree with the requirement for a masterplan, though it is considered that the requirement for a masterplan to be prepared and agreed on the site should be set out earlier in the wording of the policy. This is an important aspect of the delivery of the site and should be included as the primary requirement at the beginning of the policy.
- 1.36 TW also considers that it would be helpful for the policy, or the reasoned justification, to clearly set out the Council’s masterplanning process to provide clarity to the developer bringing forward the allocation. This will ensure that the process, and subsequently the delivery of the site, is not delayed.
- 1.37 TW notes that the Council is a major landowner of the Bold Forest Garden Suburb site. It is therefore important that the Council takes a proactive role in moving the masterplanning process forward as early as possible. Furthermore, it should also be noted that Policy LPA13 is not clear at any stage who will be responsible for preparation of the masterplan . Given the number of landowners and the likelihood that the development will be delivered through a number of planning applications the policy expectations need to be clear at the outset. The Policy should therefore be amended to address this and clearly state the required masterplan procedure, the responsibilities for masterplan preparation and expectations in relation to the delivery of infrastructure.

Reasoned Justification - Paragraphs 4.45.7 and 4.45.11

- 1.38 New paragraph 4.45.7, also included within the reasoned justification for Policy LPA13, states that a thorough masterplanning process for the site will form the basis of a site-specific SPD for the Bold Forest Garden Suburb. New paragraph (4.45.11) also sets out that due to the size of the site, it is considered that a small local centre could be supported containing community and retail facilities, and that retail provision will be looked at in more detail through the masterplanning process and in the subsequent SPD.

1.39 TW strongly disagrees with the Council’s intention that an SPD should be prepared following the conclusion of an extensive masterplanning process. TW considers that is an unnecessary stage in the process, and from experience being involved in the preparation of SPDs, can result in a further lengthy process before the SPD is adopted. TW considers that this will only add complexity to the masterplanning process and subsequently delay the delivery of the site.

1.40 As such, it is proposed that the intention to prepare an SPD following the conclusion of the masterplanning process is reviewed by the Council, and the wording is removed from the proposed modification. It is TW’s view that a single process comprising the preparation of a comprehensive masterplan document is sufficient to guide delivery of the site and ensure that necessary policy requirements are incorporated. TW therefore proposes the following wording in respect of Policy LPA13 (amended wording in *red*):

"4.43 Policy LPA13: Bold Forest Garden Suburb

Policy LPA13: Bold Forest Garden Suburb

The Bold Forest Garden Suburb site (identified as site 4HA in Policy LPA05) is allocated for housing development, with an indicative site capacity of 2,988 dwellings, of which a minimum of 510 dwellings will be delivered during the plan period. The site boundaries are set out in the Appendix 5 site 4HA profile and on the Policies Map.

In accordance with Policy LPA05.1 (section 2), any planning application for development within the site will need to be supported by a comprehensive masterplan document covering the whole of the Bold Forest Garden Suburb site, which will need to set out the listed details in sub-sections a) to i) (below). Any proposal will need to demonstrate how it complies with this masterplan in order to ensure a comprehensive, co-ordinated and well-designed development is delivered with the necessary supporting infrastructure.

It is particularly critical to ensure that a high quality development is delivered in a comprehensive manner, and the various phases of development can be delivered in accordance with an overarching, agreed masterplan document, and in a timely manner. The masterplan document should be prepared in accordance with the Council’s guidance on masterplan preparation which comprises the following stages:

TO BE INSERTED BY THE COUNCIL

The first application to be submitted on the site shall include a Masterplan which demonstrates the comprehensive development of the site and that the infrastructure, public open space and other policy requirements are distributed appropriately across the site. Any subsequent application shall be accompanied by an updated Masterplan to demonstrate the continued delivery of a comprehensive scheme.

Financial contributions or the provision of on-site infrastructure for education, health and offsite highway works may be required. The detailed infrastructure requirements to support the delivery of the site will be further assessed through the comprehensive masterplanning process.

1. Development of the site should deliver the following requirements:

Housing

a) At least 30% of homes to be delivered on site should fall within the definition of ‘affordable housing’ in accordance with Policy LPCo2, with the affordable housing mix reflecting Policy LPCo2, part 3), unless up-to-date and robust evidence indicates otherwise;

b) Provide an appropriate mix and standard of housing to meet local needs in accordance with policy LPC01;

c) Deliver at least 10% of the site's energy needs from renewable and / or other low carbon energy sources in accordance with Policy LPC13, part 4), unless this is shown to not be practicable or viable;

Design and Layout

d) The development of this site should be consistent with the vision, aims, objectives and policies of the Bold Forest Park Area Action Plan (2017);

e) The layout must avoid causing excessive noise or disturbance to occupiers of existing dwellings and businesses within or around the site and for users of walking and cycling routes and open spaces;

Social Infrastructure

f) Contributions towards primary and secondary school provision in the area, to meet the identified need for additional school places, through the extension of existing schools and / or delivery of new school facilities;

g) Provision of a new GP surgery within the development, which could be in the form of the relocation and expansion of an active practice onto the site;

h) Provide a small local centre containing community and retail facilities;

Play, Open Space and Green Infrastructure

i) Provision of an accessible, comprehensive, high quality and connected network of multi-functional green spaces in accordance with a Green Infrastructure Plan to be provided as part of the comprehensive masterplan approach for the whole site as required by Policy LPA05.1, section 2f);

j) Retention of existing and provision of new high quality, well designed and accessible open space and play space provision in accordance with Policies LPC05 and LPD03. Details of how open spaces will be subsequently maintained will need to be considered through the masterplanning process;

Landscape and biodiversity

k) The development must provide a well landscaped setting including extensive green links through and around the site, and tree planting to reduce impact on the landscape and promote the objective of the BFPAAP to increase tree cover by 30% across the Bold Forest as a whole;

l) Any adverse impacts on biodiversity interests within the existing Local Wildlife Site (LWS 108 as indicated on the Policies Map) and the proposed extension to this must be either avoided or minimised. Any resultant harm must be adequately mitigated;

Access and Highways

m) Provision of safe access arrangements for the site;

n) Creation of a permeable layout with a range of highways provided through the site with access via the B5204, Neills Road and Gorsey Lane;

o) Provision of a bus service through the site between Clock Face and St Helens Junction, and the layout of the site must be compatible with this;

Provision of a permeable network of foot, bridleway, and cycle routes through the site to facilitate access between homes, workplaces, recreational facilities, and other key services in the area. These must, where necessary, be segregated to ensure safety and include new provision in line with Policy INF6 “Creating an Accessible Forest Park” of the Bold Forest Park Area Action Plan 2017;

q) Provision of any other measures necessary to secure suitable access to the site by walking, cycling and public transport such as:

a. The provision of new accessible bus stops to an agreed specification through the site so that none of the proposed dwellings are more than 400 metres walking distance from a bus stop; and

b. A financial contribution towards the improvements of St Helens Junction station;

r) Masterplanning of site must take into account the opportunity to expand the Greenway network, and make provision for this in line with Policy LPCo7, and the accompanying Figure 7.2; and

s) Masterplanning of the site must be informed by the findings of the Bold Forest Garden Suburb Transport Review (August 2019) and any other relevant evidence.

~~*2) As above, financial contributions or the provision of on-site infrastructure for education, health and offsite highway works may be required. The detailed infrastructure requirements to support the delivery of the site will be further assessed through the comprehensive masterplanning process.*~~

~~*3) In accordance with Policy LPA05.1, section 2), any planning application for development within the site will need to be supported by a comprehensive masterplan covering the whole of the Bold Forest Garden Suburb site, which will need to set out the listed details in sub-sections a) to i) as a minimum. Any proposal will need to demonstrate how it complies with this masterplan in order to ensure a comprehensive, co-ordinated and well-designed development is delivered with the necessary supporting infrastructure.”*~~

- 1.41 TW also considers that the reasoned justification for Policy LPA13 should identify that the masterplan should be produced by the developers or housebuilders. TW draws on its experience in relation to a site at East Halewood, whereby the preparation of a masterplan and SPD resulted in significant delays to the delivery of the scheme. There were a number of landowners involved and it took 3 years to progress a masterplan and SPD. TW considers that Policy LPA13 should be drafted to allow for comprehensive planning, but also to facilitate the delivery of the site upon adoption of the plan in a comprehensive manner allowing the individual landowners to bring their land forward.

Modification Ref. MM021 (SHLP Policy LPCo1)

- 1.42 MM021 proposes a number of minor amendments to SHLP Policy LPCo1 (Housing Mix). As set out in TW’s response to Matter 7 (Specific Housing Needs and Standards) of the Inspector’s Matters, Issues and Questions [MIQs], TW object to the standards proposed in Part 2 of the Policy. Part 2 states that where a development is for 25 or more new homes on a greenfield site the Council will apply optional standards for accessible and adaptable homes with at least 20% required to be to M4(2) standard and 5% to be to M4(3) standards. It is considered that

insufficient evidence has been provided to justify these thresholds. TW generally supports the provision of adaptable dwellings that are suitable to meet the needs of older people and disabled people. However, it is considered that sufficient flexibility has not been incorporated into the policy in relation to requirements for adaptable dwellings.

- 1.43 This issue is addressed further in the accompanying Viability Technical Report (**Appendix 1**), which sets out that a cost of £5,500 per dwelling for complying with accessibility standard M4(3A) has been adopted by Keppie Massie in the SHLP EVA (para. 6.78). This cost is regarded as too low when compared to government guidance (DCLG – Housing Standards Review (September 2014)) which suggests an average cost of £10,210 per plot. This would equate to just under £14,000 per plot after indexation to Q4 2021 using the BCIS All-In Tender Price Index (TPI). It is noted that other recent emerging North West LPVAs such as Eden (August 2021) and Hyndburn (October 2021) have adopted the government costs uplifted for indexation.
- 1.44 Furthermore, the SHLP EVA contends that accessibility standards may increase sales values. However, no evidence is provided to support this assertion. In fact, it is considered that the viability impact will be greater on sites in lower value areas and/or where there is little demand for property from elderly residents. In these cases, the build costs would increase but this may not be offset by an increase in revenue. In the worst case scenario where there is inadequate demand, the properties could potentially be unsellable.
- 1.45 TW considers that in this instance, requirements to meet the enhanced Building Regulations standards may not be viable or actually deliverable on site. TW is concerned that the viability implications of pursuing these optional building standards have not been properly assessed and this could undermine the deliverability of TW's sites. It is crucial that there is sufficient flexibility incorporated into the policy which takes account of site-specific viability considerations and local housing need / demand in different parts of St Helens.

Modification Ref. MM025 (SHLP Policy LPC05)

- 1.46 MM025 proposes a number of amendments to Policy LPC05 (Open Space), including an addition to paragraph 7.3.11 of the policies reasoned justification to provide improved clarity on the circumstances in which open space provision may be required within new developments. TW supports the Council's requirement for larger residential developments to potentially provide certain types of open space to provide local recreational opportunities.
- 1.47 However, TW also notes the assumption used in the SHLP EVA for the purposes of the viability testing, for all sites over 2ha to achieve 75% NDA (which includes Allocation 4HA). It should therefore be ensured that the aspiration to provide open space, and specific types of open space for larger developments, does not adversely impact the viability of larger sites (including Allocation 4HA) by reducing NDA, or should be subject to flexibility based on the viability evidence.

Modification Ref. MM026 (SHLP Policy LPC06)

- 1.48 MM026 proposes the inclusion of additional text to Policy LPC06. The additional text states that where necessary to avoid harm as part of new development, the sequential approach towards ecological mitigation, replacement or compensatory provision will also apply to the delivery of Biodiversity Net Gain (BNG) improvements to be delivered in line with new development, in accordance with the Environment Bill.

- 1.49 TW supports this sequential approach to the delivery of BNG and considers that BNG should be sought on development sites in the first instance where viable. However, TW notes that delivering BNG on development sites could potentially have an adverse impact on NDA, and subsequently viability. The assumption used in the SHLP EVA for the purposes of the viability testing, is for all sites over 2ha to achieve 75% NDA. It should therefore be ensured that the requirement to provide BNG does not adversely impact the viability of larger sites (including Allocation 4HA) by reducing the NDA, or should be subject to flexibility based on the viability evidence. The sequential approach set out in Policy LPC06 will therefore be important to ensure this.
- 1.50 Additional text proposed as part of MM026 (paragraph 7.6.6) sets out that the Council will continue to promote the Bold Forest Park (BFP) as a sub-regional greenspace and to seek opportunities for additional funding to help improve the functionality and management of the BFP. TW supports the Council's aspirations for the BFP, although TW considers that the aspirations of the BFP should not hinder the delivery of allocations within the wider BFP area by adversely impacting the viability of allocated sites.

Modification Ref. MM032 (SHLP Policy LPC13)

- 1.51 TW supports the Council's aim as part of Policy LPC13 for new housing developments to meet high standards of sustainable design and construction and minimise carbon emissions. MM032 includes additional text to require that these standards should be equivalent to the Code for Sustainable Homes (CSH) Level 4 (i.e. 19% carbon reduction against Part L 2013) unless proven unviable. However, TW notes that this requirement will be superseded by the new Part L standards to be introduced in 2022, which will require a c. 30% reduction and will be a mandatory requirement.

Updated SHLP Appendix 5 - Site Profiles

Ref. 4HA - Land bounded by Reginald Road/Bold Road/Travers Entry/Gorsey lane/Crawford Street, Bold (Bold Forest Garden Suburb)

- 1.52 LPSD Ref. 4HA (Land bounded by Reginald Road/Bold Road/Travers Entry/Gorsey lane/Crawford Street, Bold (Bold Forest Garden Suburb) is proposed to be removed as part of the Main Modifications. The Council proposes to replace LPSD Ref. 4HA with a specific bespoke Policy LPA13 (MM018) which includes a number of more detailed requirements. TW supports the allocation of the BFGS site and the inclusion of Policy LPA13 in the SHLP. However, this is provided that the Council revisits the proposed viability approach and assumptions in the SHLP EVA (as set out earlier in these representations), and gives due consideration to the issues raised in the Viability Technical Report (**Appendix 1**).

Ref. 5HA - Land South of Gartons Lane and former St. Theresa's Social Club, Gartons Lane, Bold

- 1.53 TW supports the allocation of LPSD Ref. 5HA (Land South of Gartons Lane and former St. Theresa's Social Club, Gartons Lane, Bold) in the SHLP. TW is supportive of the allocation of the site and considers that the identification of the site as a residential allocation will assist in boosting the supply of housing in St Helens. It will also assist in delivering sustainable development by contributing towards meeting the needs of market and affordable housing, creating employment during the construction period and mitigating any impact on the environment.

- 1.54 TW is not aware of any barriers to the development of Allocation 5HA. TW control over 95% of the land at Gartons Lane (5HA) and is committed to delivering the site as soon as the SHLP has been adopted with the intention of having an application ready for submission upon adoption. TW also wish to bring forward the Council owned element of the site to ensure the full allocation can come forward as a comprehensive development. It is TW's understanding that this would be supported by St Helens Council to ensure the comprehensive delivery of the scheme.

**St Helens Local Plan 2020 – 2035:
Main Modifications**

Viability Technical Report

Prepared on Behalf of:
Taylor Wimpey UK Ltd

December 2021

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Appendices

Appendix 1: RICS Professional Statement: Financial Viability in Planning – Mandatory Reporting Requirements

Appendix 2: Lichfields Insight (August 2021) – Fine Margins: Viability Assessments in Planning and Plan-Making

Appendix 3: St Helens LPEVA – Keppie Massie Standard Build Cost Assumptions

Appendix 4: BCIS Average Prices – St Helens Q3 2018

[REDACTED]

Appendix 6: BCIS Note: COVID-19 Adjustments – June 2020

Appendix 7: BCIS Note: COVID-19 Adjustments – July 2020

Appendix 8: BCIS All-In TPI

[REDACTED]

Appendix 10: BCIS Five Year Forecast (October 2021)

Appendix 11: Anonymised Abnormal Costs Schedule – Example Sites

Appendix 12: Land Registry New Build HPI – St Helens

Appendix 13: Market Commentary (BuiltPlace, June 2021)

Appendix 14: Industrial Land Comparable Evidence

Appendix 15: Terms of Engagement

1. Executive Summary

- 1.1. This Viability Technical Report ('report') has been prepared on behalf of Taylor Wimpey UK Ltd ('Taylor Wimpey') in support of their representations to the St Helens Local Plan Main Modifications which were published for public consultation by St Helens Council ('the Council') between 18th November 2021 and 13th January 2022.
- 1.2. The focus of this report is the viability evidence prepared by the Council in support of the emerging Local Plan, comprising the Local Plan Economic Viability Assessment ('LPEVA') prepared by Keppie Massie ('KM') in December 2018 and updated as at August 2021.
- 1.3. In July 2018, the government published the revised National Planning Policy Framework ('NPPF') alongside revised Planning Practice Guidance for Viability ('PPGV')¹. One key change to the viability regime was to shift focus towards viability testing at the plan-making stage so as to limit the need for site-specific financial viability assessments ('FVAs') at the application stage as far as possible ("frontloading" viability).
- 1.4. As such, it is imperative that the approach and assumptions adopted in the LPEVA are realistic and market-facing to support an accurate assessment of development viability in St Helens. This is crucial to ensure that the proposed policies, sites and scale of development within the Local Plan are deliverable, and that policy requirements are set at realistic and achievable levels which do not compromise site viability.
- 1.5. Having reviewed the viability approach and the assumptions proposed in the LPEVA, Taylor Wimpey is concerned that a number of the key inputs are insufficiently evidenced and/or are inappropriate for the purposes of testing the viability of residential development in St Helens at the plan-making stage.
- 1.6. In fact, it is our view that the LPEVA is fundamentally flawed, unjustified and unsound in respect of the approach to build costs, meaning that the updated results for all typologies are inaccurate, unreliable and carry no weight. The lack of a robust LPEVA could result in appeals which may be costly for both the Council and the housebuilding industry.
- 1.7. Below we summarise the key issues which we have identified in respect of the proposed approach and appraisal assumptions for all typologies. This summary is not an exhaustive list and should not be read in isolation from the main body of this report which sets out the full range of issues.

Summary of Identified Issues – LPEVA Approach and Assumptions

Viability Assessment Input / Assumption	C&W Comments
Standard Build Costs – Database	<p>KM continue to rely on a partial, unverifiable confidential "in-house" build cost database rather than using transparent market evidence such as the BCIS.</p> <p>KM's in-house database is fraught with limitations including:</p> <ul style="list-style-type: none"> • Based on estimated costs rather than actual costs • Relies on inherently subjective analysis and historic information • Contains very few larger sites <p>The limitations collectively mean that the database is not a reliable or robust source of evidence for the purposes of the testing.</p>

¹ Both documents have since been updated in 2019 and 2021 respectively.

Viability Assessment Input / Assumption	C&W Comments
Standard Build Costs – Assumptions	<p>KM have not uplifted their 2018 build costs for the 2021 Update. The approach is wholly inappropriate as the build costs are too low and detached from market realities.</p> <p>The approach means that site viability has been overstated for all typologies. For this reason alone, the results cannot be relied on.</p> <p>The build costs in the 2021 Update also fundamentally contradict the costs which KM have adopted in recent site-specific FVAs across the North West where they have routinely assessed higher standard build costs.</p> <p>It is considered essential that KM revisit the adopted costs and also undertake sensitivity testing on further increases in build costs in light of the recent sharp cost inflation affecting the construction industry over Autumn 2021 / Winter 2021/2022.</p>
Housing Mix and Unit Sizes	<p>Housing mix and unit sizes are not varied by market area or site density in line with market realities.</p> <p>The assumptions in the 2021 Update are based on dated information. No recent market analysis has been undertaken to sense check the 2018 assumptions.</p>
Strategic Infrastructure / Abnormal Costs	<p>KM are misinterpreting the cost definitions in the Harman Report relating to infrastructure costs.</p> <p>Abnormal cost allowances for all typologies fall considerably below a reasonable allowance at the plan-making stage.</p> <p>If the current allowances are maintained, it is highly likely that site-specific FVAs will continue for the majority of sites in St Helens as the actual total abnormal costs will be greater than assumed in the LPEVA. The abnormal costs have a significant impact on the overall viability position and must be set at a more reasonable level.</p>
Professional Fees	<p>Professional fees should be uplifted to 7% for all typologies.</p>
S106 Contributions and Policy Costs	<p>The generic allowance of £1,000 per plot is likely to be insufficient for many sites. A clear breakdown is required to demonstrate that the cost allowance will be sufficient to comply with all relevant emerging policy requirements.</p> <p>No details of the reviewed S106 Agreements are provided to enable stakeholder analysis.</p> <p>Full clarification is required as to the extent of the renewable energy costs assumed in the testing.</p> <p>The cost of electric vehicle charging points is not fully accounted for in the testing and the grant funding scheme which KM refer to expires in April 2022.</p> <p>The cost for accessibility standards of £5,500 per plot is regarded as too low when compared to government guidance which suggests an average cost of c. £14,000 per plot after indexation.</p>
Market Housing Sales Values – 2021 Update	<p>KM's analysis of the Land Registry HPI is inaccurate as the suggested level of new build price growth (15.04%) is overstated by just under 4%. All HPI indexation analysis should be treated with caution given that the indices can overstate house price growth in comparison to actual up-to-date house prices "on the ground" due to the way in which COVID-19 has impacted on the datasets.</p> <p>A greater number of value areas should be introduced into the testing to better reflect the different value profiles across St Helens.</p>
Affordable Housing Transfer Values	<p>The transfer values are insufficiently evidenced. No up-to-date local RP offer information is provided for Rented or Intermediate tenures.</p>

Viability Assessment Input / Assumption	C&W Comments
	The Shared Ownership ('SO') transfer values are regarded as excessive particularly in light of the recent national changes to the SO model.
Benchmark Land Value (BLV)	No up-to-date local market evidence is provided for the assumed EUVs or BLVs in the 2021 Update to sense-check whether the 2018 assumptions remain reasonable in the context of current market activity. BLVs regarded as too low when considering the nominal abnormal cost and S106 allowances. We are concerned as to KM's potential suggestion that additional abnormal costs will be "deducted" from the assumed BLVs. This risks tipping the BLVs below the minimum incentive required to sell which conflicts with the PPGV.
Development Period, Delivery Rates and Cash Flows	The appraisal summaries are not provided. This evidence should be shared on an open and transparent basis as well as the assumed lead-in periods, main construction periods and sales periods for all typologies.
Viability Results	We strongly disagree with KM's overarching conclusions that site viability has improved for all typologies based on the 2021 Update, despite the inclusion of new policy costs relating to Part L and BNG. The results are regarded as very misleading given the heavily understated nature of the build cost assumptions. In our view, the updated findings are inaccurate, unreliable and carry no weight.

- 1.8. As this summary table demonstrates, there are some significant flaws associated with the proposed approach and assumptions in the LPEVA, both in respect of the supporting evidence base and the individual input assumptions.
- 1.9. It is not a prudent approach to adopt unrealistic appraisal inputs so as to demonstrate a viable position based on the emerging policy requirements at the plan-making stage. Rather, the viability evidence needs to be robust and based on a proportionate assessment of the cumulative cost of all relevant policies, to ensure that there are no adverse implications in respect of site deliverability and land supply based on policy requirements which are introduced using the findings of the LPEVA.
- 1.10. If the current inputs are maintained, we consider that the LPEVA will not provide an accurate or robust viability assessment but will serve to overstate viability in St Helens for all typologies. When all inappropriate assumptions are combined in the testing, the aggregate impact is significant. This, in turn, will likely result in policy requirements being set at unrealistic levels. The resultant cumulative policy burden could therefore compromise site deliverability.
- 1.11. Accordingly, within this report we comment on the assumptions proposed in the LPEVA and we provide evidence to support more realistic and market-facing inputs for Local Plan viability testing in St Helens. We strongly recommend that KM and the Council revisit their proposed approach and assumptions, and give due consideration to the issues raised in this report. It is considered that significant amendments are required for the viability evidence to be found sound. To be clear, the issues identified in this report and the flaws in the LPEVA affect the deliverability of all sites in St Helens and it is imperative that the necessary revisions are made.
- 1.12. Furthermore, irrespective of the revised viability findings, it is still regarded as essential that there is sufficient flexibility in the relevant policies to enable viability to be reassessed at the application stage where necessary and for policy requirements to be relaxed where robustly justified on viability grounds.

- 1.13. As alluded to throughout this report, it is not possible for a plan-wide FVA to account for every eventuality or the changing circumstances over the plan period. This means that it will be necessary for site viability to continue to be assessed at the application stage to account for site-specific circumstances where these differ from the LPEVA.
- 1.14. The above circumstances do not however preclude or downplay the importance of having a robust LPEVA with fully evidenced and market-facing assumptions in plan-making, so as to limit the extent of site-specific viability testing at the application stage and the associated delays in delivering new housing in St Helens.

2. Introduction

Background

- 2.1. This Viability Technical Report ('report') has been prepared on behalf of Taylor Wimpey UK Ltd ('Taylor Wimpey') in support of their representations to the St Helens Local Plan Main Modifications which were published for public consultation by St Helens Council ('the Council') between 18th November 2021 and 13th January 2022.
- 2.2. This report will be appended to the representations submitted by Lichfields who are representing Taylor Wimpey at the current Local Plan Examination in Public. Please refer to the Lichfields submission for further details and comments on the Main Modifications and the soundness of the Local Plan.
- 2.3. Taylor Wimpey is an established national housebuilder in St Helens and neighbouring authorities and has two strategic land interests which are identified as draft allocations in the emerging Local Plan, comprising:
 - **Site Allocation 4HA – Land bounded by Reginald Road/Bold Road/Travers Entry/Gorse Lane/Crawford Street, Bold ('Bold Forest Garden Suburb')**. The site is proposed as a new Garden Suburb with an indicative capacity of 2,988 units, of which 480 are anticipated to be delivered in the Plan period. Taylor Wimpey owns part of the site which has an estimated capacity of approximately 290 units.
 - **Site Allocation 5HA – Land South of Gartons Lane and former St Theresa's Social Club, Gartons Lane, Bold**. This site is proposed to deliver 569 units with 520 being delivered in the Plan period. Taylor Wimpey controls the vast majority of this site and we are advised by Lichfields that the small element which is outside of Taylor Wimpey's control does not affect the deliverability of the site.
- 2.4. Taylor Wimpey is therefore an important stakeholder in the plan-making process and wishes to ensure that the Local Plan is robust and meets the tests of soundness as set out at Paragraph 35 of the National Planning Policy Framework ('NPPF'), namely that the Local Plan is:
 - Positively prepared;
 - Justified;
 - Effective; and
 - Consistent with national policy.
- 2.5. The focus of this report is the viability evidence prepared by the Council in support of the emerging Local Plan. The Council have appointed Keppie Massie ('KM') to prepare a Local Plan Economic Viability Assessment ('LPEVA') to assess the viability of the emerging Plan proposals and policy requirements. KM published their LPEVA in December 2018.
- 2.6. The LPEVA includes viability testing of a series of 'generic' typologies as well as site-specific viability assessments for the proposed allocations include sites 4HA and 5HA. The purpose of the LPEVA is to assess the total cumulative impact of all relevant emerging policies in the Local Plan to determine whether the plan is viable and deliverable, and to therefore inform the setting of plan policy.

- 2.7. Taylor Wimpey has previously submitted detailed representations during the Local Plan consultation process including in relation to the LPEVA as prepared by Grasscroft Development Solutions ('GDS'). GDS produced a first viability representation in March 2019, followed by an updated representation in June 2021.
- 2.8. Within their submissions, GDS set out a range of key issues associated with the LPEVA approach and assumptions which they considered were inappropriate and/or insufficiently evidenced. This report refers back to the GDS representations where relevant and should be read in conjunction with Taylor Wimpey's previous submissions.
- 2.9. As part of the Main Modifications evidence base, KM have produced an LPEVA Update Note (August 2021) ('2021 Update') to address action point 5 arising from the Matter 10 Hearing Session. We understand that the purpose of the 2021 Update is to account for any changes in revenues and development costs, including any new policy requirements, since preparation of the LPEVA in 2018.
- 2.10. KM have also produced a Response Note (June 2020) ('2020 Response Note') to address the main comments raised by GDS in their March 2019 representation. We understand that GDS did not have sight of the 2020 Response Note when preparing their updated representation in June 2021.

Purpose of Report

- 2.11. As currently drafted, the Local Plan contains a series of policies which will have viability implications. In respect of the site allocations in particular, these policies include Policy LPA05.1: Strategic Housing Sites, Policy LPA13: Bold Forest Garden Suburb and the associated requirements at Appendix 5 of the Local Plan.
- 2.12. In accordance with the NPPF and the Planning Practice Guidance for Viability ('PPGV'), it is imperative that such requirements are based on sound viability evidence with appropriate market-facing assumptions, to ensure that the proposed policies, sites and scale of development within the Local Plan are deliverable, and that policy requirements are set at realistic and achievable levels which do not compromise site viability.
- 2.13. Based on the 2021 Update, KM conclude that despite the introduction of new costs associated with new national policy requirements relating to energy efficiency (Part L) and biodiversity net gain ('BNG'), there has been a marked improvement in site viability when compared to the 2018 LPEVA.
- 2.14. According to KM's testing results, all typologies (greenfield, brownfield and site allocations) in Zones 2 and 3 are viable after accounting for the total cumulative plan policies, with the majority of the typologies showing a relatively substantial surplus particularly in Zone 3.
- 2.15. We do not agree with KM's findings and resultant conclusions. The purpose of this report is to comment on the 2021 Update to the LPEVA and to identify where we have concerns regarding the viability approach and/or appraisal assumptions. In doing so, we will demonstrate why the LPEVA does not currently constitute robust or credible viability evidence upon which to base Local Plan policy requirements.
- 2.16. In fact, it is our view that the LPEVA is fundamentally flawed, unjustified and unsound in respect of the approach to build costs, meaning that the updated results for all typologies are inaccurate, unreliable and carry no weight. The lack of a robust LPEVA could result in appeals which may be costly for both the Council and the housebuilding industry.

- 2.17. For the reasons detailed in this report, it is therefore considered essential that KM revisit their proposed assumptions where necessary and adopt more realistic market-facing inputs so as to produce a more robust assessment of site viability. At present, the total cumulative policy burden has not been demonstrated as deliverable and it is considered that significant amendments are required for the viability evidence to be found sound.

Previous Representations

- 2.18. As stated above, Taylor Wimpey has already submitted detailed viability representations to the Local Plan as part of its earlier evidence. It is not necessary to repeat the issues which have been previously raised by GDS. The focus of this representation is the new evidence published at the Main Modifications stage.
- 2.19. However, Taylor Wimpey has not yet had the opportunity to comment on the 2020 Response Note prepared by KM which contains a series of key comments particularly relating to the build cost assumptions. We therefore address the salient issues in the 2020 Response Note alongside our comments on the 2021 Update.
- 2.20. We have limited our comments to those areas of the LPEVA which are directly relevant to Taylor Wimpey's interests. Our absence of comment on particular aspects of the evidence base and/or assumptions does not imply our agreement.

Site Deliverability

- 2.21. Before proceeding to the main body of this report, it is important to clearly highlight that whilst Taylor Wimpey has concerns regarding the robustness of the LPEVA and considers that the plan-wide policy requirements have not been demonstrated as viable or deliverable, the deliverability of its allocations is not being questioned.
- 2.22. Taylor Wimpey has and continues to undertake detailed due diligence on each site to inform the delivery of comprehensive residential developments and is confident that both allocations are fully deliverable and sustainable propositions, and further that there is the ability to provide affordable housing as part of each scheme.

Structure

- 2.23. This report is structured as follows:
- Section 3 – RICS Financial Viability in Planning: Conduct and Reporting (May 2019)
 - Section 4 – Summary of Relevant National Policy and Guidance
 - Section 5 – LPEVA: Standard Build Cost Assumptions
 - Section 6 – Other Comments on KM 2020 Response Note
 - Section 7 – LPEVA: August 2021 Update
 - Section 8 – LPEVA: August 2021 Update – Results
 - Section 9 – Conclusions
 - Section 10 – Disclaimer

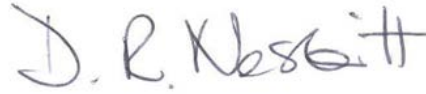
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Market Conditions Explanatory Note: Novel Coronavirus ('COVID-19')

The outbreak of COVID-19, declared by the World Health Organisation as a “Global Pandemic” on the 11th March 2020, has and continues to impact many aspects of daily life and the global economy – with some real estate markets having experienced lower levels of transactional activity and liquidity. Travel, movement and operational restrictions have been implemented by many countries.

We continue to be faced with an unprecedented set of circumstances caused by COVID-19 and an absence of relevant/sufficient market evidence on which to base our judgements. Our advice is provided subject to this material uncertainty and a higher degree of caution should be attached to our advice than would normally be the case.

This explanatory note is included to ensure transparency and to provide further insight as to the market context under which our advice has been prepared. In recognition of the potential for market conditions to move rapidly in response to changes in the control or future spread of COVID-19 we highlight the importance of the date on which this advice is provided.

3. Financial Viability in Planning: Conduct and Reporting (May 2019)

- 3.1. This report has been prepared in accordance with the RICS Professional Statement *Financial Viability in Planning: Conduct and Reporting* (1st edition) (May 2019) ('RICS Professional Statement').
- 3.2. This document sets out mandatory requirements on conduct and reporting in relation to financial viability assessments ('FVAs') for planning in England to demonstrate how a reasonable, objective and impartial outcome should be arrived at.
- 3.3. Sections 2.1 to 2.14 of the Professional Statement set out fourteen mandatory reporting and process requirements for all FVAs and representations prepared on behalf of, or by applicants, reviewers, decision-makers and plan-makers.
- 3.4. We confirm that this report has been carried out in accordance with Sections 2.1 to 2.14. The relevant mandatory reporting requirements are set out in Appendix 1.

4. Summary of Relevant National Policy and Guidance

- 4.1. Within the LPEVA, KM summarise relevant national guidance relating to viability testing. It is not necessary to repeat this guidance however it is pertinent to highlight some key principles particularly relating to stakeholder engagement and transparency of evidence.

Stakeholder Engagement

- 4.2. The revised NPPF and PPGV set out the key requirements in respect of the overall approach, the methodology and the assumptions to be adopted in FVAs prepared at the plan-making and decision-taking stages.
- 4.3. Importantly, the PPGV was updated in May 2019 to emphasise the need for meaningful engagement between plan makers and industry stakeholders when formulating viability assumptions and policy requirements.
- 4.4. Paragraph 2 of the PPGV states that:

“It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies. Drafting of plan policies should be iterative and informed by engagement with developers, landowners, and infrastructure and affordable housing providers”.

- 4.5. Paragraph 4 of the PPGV further states that plan makers will:

“...engage with landowners, site promoters and developers and compare data from existing case study sites to help ensure assumptions of costs and values are realistic and broadly accurate.... Plan makers may then revise their proposed policy requirements to ensure that they are creating realistic, deliverable policies”.

- 4.6. The RICS has recently updated its viability guidance note with the publication of *Assessing Viability in Planning Under the National Planning Policy Framework 2019 for England (2021)* which provides further guidance relating to consultation and stakeholder engagement in plan-making.

- 4.7. At paragraph 3.4.1, the RICS guidance states that:

“Stakeholder engagement and consultation are key components of transparency and accountability, and help LPAs reach sound judgments on the deliverability and policy compliance of proposed allocations”.

- 4.8. The guidance note (paragraph 3.4.12) further advises that:

“Assessors should update the FVA if the consultees provide new information that causes the assessor, using their professional judgement, to adjust their assumptions, inputs and outputs. Any reassessment should be based on an open and transparent process with the LPA and other engaged stakeholders providing further evidence in a timely way and being kept fully briefed on the revised outputs” (C&W emphasis).

- 4.9. These principles of stakeholder consultation are similarly reflected in the publication *Viability Testing in Local Plans – Advice for Planning Practitioners* (June 2012) (LGA/HBF – Sir John Harman) ('The Harman Report').

- 4.10. Although dated, the Harman Report still provides useful advice in respect of the methodology for viability testing and suggested approaches to defining the various appraisal inputs. The Harman Report advises that:

“By working closely with developers and others in the development industry, planning authorities will benefit from a sound understanding of the factors that impact on development costs.

This should not mean that inputs proposed by developers will not be subject to critical challenge and discussion. However, it should avoid common errors that would otherwise be contested at a later stage or overlooked to give an unrealistic picture of viability”.

- 4.11. Such stakeholder engagement is crucial to ensure that the viability assumptions are appropriate and grounded in market-facing evidence. This will facilitate accurate viability testing which, in turn, will help to ensure that policy requirements for new development are realistic and deliverable.
- 4.12. The PPGV suggests that in assessing the viability of plans, not every site is required to be tested and plan makers can use site typologies to determine viability at the plan-making stage (Paragraph 3). However, Paragraph 5 refers to strategic sites and states that:

“Plan makers can undertake site specific viability assessment for sites that are critical to delivering the strategic priorities of the plan. This could include, for example, large sites, sites that provide a significant proportion of planned supply, sites that enable or unlock other development sites or sites within priority regeneration areas”.

- 4.13. As set out in recent research by Lichfields (August 2021) (Appendix 2), strategic site testing will be subject to bespoke, site-specific assumptions which deviate from the wider high level viability assumptions used for the notional sites. This approach reflects the guidance set out in the PPGV and recognises how strategic sites are critical to the delivery of the strategic priorities of the plan.
- 4.14. It is acknowledged that there are limits as to the level of detail available for each site at the plan-making stage, however it is still crucial that a finer grain approach is adopted for larger strategic sites.

Site Allocations 4HA and 5HA Promoter Engagement

- 4.15. Two key points arise in the context of the above guidance. The first is that Taylor Wimpey is evidently an important stakeholder in St Helens with a track record of delivering new build schemes in the district (and neighbouring authorities) and with advanced draft allocations in the Local Plan.
- 4.16. As a consequence, it is imperative that Taylor Wimpey’s comments are robustly considered throughout the plan-making process to ensure a deliverable Local Plan. It follows that any flaws in the LPEVA and the associated inaccurate plan-wide viability testing could result in delays to delivering much needed new housing in St Helens. The assumptions therefore need to be robust and fully evidenced from the outset. Taylor Wimpey’s comments are aimed at supporting KM and the Council in achieving this key objective.
- 4.17. The second key point in the context of the relevant guidance is that Taylor Wimpey’s land interests comprising proposed site allocations 4HA and 5HA represent large-scale strategic sites which need to be individually tested based on site-specific assumptions relevant to each site. The sites are crucial to delivering the strategic priorities of the Plan and will provide a significant proportion of planned supply.

- 4.18. KM have individually tested each site which is welcomed and is an appropriate approach. In preparing the viability assumptions, it would have been important for KM to engage with Taylor Wimpey to understand the site-specific circumstances relating to each site and to ensure, as far as possible at this stage of the plan-making process, that such circumstances are reflected in the viability testing.
- 4.19. As far as we understand, Taylor Wimpey were not approached to discuss any of the plan-wide or site-specific assumptions with KM. As no engagement has taken place, it is perhaps not surprising that a number of the proposed viability assumptions do not appear to be properly evidenced or realistic as summarised throughout this report. This is relevant to all typologies not just the site allocations.
- 4.20. This represents just one of several reasons as to why the Local Plan viability evidence must be revisited, as the plan-wide viability assumptions are not all appropriate or accurate for the tested typologies.
- 4.21. To be clear, the issues identified in this report and the flaws in the LPEVA affect the deliverability of all sites in St Helens not just the site allocations and it is imperative that the necessary revisions are made.

Evidence Base

- 4.22. As well as the requirements relating to stakeholder consultation, the NPPF and PPGV both emphasise the importance of robust evidence in informing the plan-making process. Paragraph 31 of the NPPF states that:

“The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals”.

- 4.23. Paragraph 10 of the PPGV further states that:

“Any viability assessment should be supported by appropriate available evidence informed by engagement with developers, landowners, and infrastructure and affordable housing providers”

- 4.24. Transparency of evidence is crucial in determining the weight to be attributed to the FVA (be it an area-wide or site-specific study) as confirmed in the PPGV (Paragraph 8):

“The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and viability evidence underpinning the plan is up to date, and site circumstances including any changes since the plan was brought into force, and the transparency of assumptions behind evidence submitted as part of the viability assessment”.

- 4.25. Section 2.6 of the RICS Professional Statement also clearly states that *“all inputs into an FVA must be reasonably justified”*.
- 4.26. In our view, as currently drafted the LPEVA does not accord with the NPPF, the PPGV and the RICS requirements as a number of the key assumptions are insufficiently evidenced and do not reflect a realistic market-facing position. We highlight the principal issues and evidential gaps in the remainder of this report.

5. LPEVA – Standard Build Cost Assumptions

- 5.1. In undertaking any viability testing at the plan-making stage to inform policy requirements, be it for area-wide notional sites or site-specific allocations, it is crucial that the testing is based on robust evidence and a proportionate assessment of the cumulative cost of all relevant policies.
- 5.2. This is the only way to inform deliverable policy requirements and to limit the need for site-specific viability testing at the application stage as far as possible (noting that site-specific FVAs cannot be fully eliminated as it is impossible for a plan-wide FVA to capture every potential circumstance no matter how robust the assessment).
- 5.3. Based on our review of the viability evidence, the LPEVA falls short of these central requirements in multiple different respects. Perhaps most significantly, KM have adopted a fundamentally flawed and unsound approach in respect of the standard build costs particularly for the purposes of the 2021 Update, where KM have not increased the costs adopted in the 2018 LPEVA.
- 5.4. This is contradictory to market realities and is of major concern to Taylor Wimpey. The standard build costs are an integral component of all FVAs and relatively small changes to this input can have a significant impact on the residual land value output and the overall viability position. It is therefore essential that the LPEVA is based on robust and fully evidenced build cost assumptions.
- 5.5. We focus on the standard build costs in this section of our report where we will demonstrate that KM's assumptions are inconsistent with the market and the NPPF / PPGV which require up-to-date evidence-based inputs. There is a need to amend the build cost assumptions as a matter of urgency. We address KM's comments on the other appraisal inputs in the following section.

Standard Build Costs

- 5.6. In respect of the standard build cost assumptions adopted by KM, there are two key issues. The first relates to the database utilised to inform the cost assumptions, and the second relates to the costs utilised in the 2018 LPEVA and the 2021 Update. We address each issue under the sub-headings below.

Keppie Massie Database

- 5.7. In preparing the LPEVA, KM have relied on their own "in house" build cost database to assess the build costs, rather than following standard industry practice for plan-wide viability testing by utilising the BCIS.
- 5.8. Taylor Wimpey has previously highlighted significant concerns relating to KM's internal dataset in their earlier representations including the omission of critical information to enable proper interrogation, the dearth of larger sites within the dataset and potential errors in the calculations. KM have sought to address these concerns in their 2020 Response Note.
- 5.9. Based on our extensive experience of preparing and reviewing area-wide and site-specific FVAs across the North West, the base build costs are typically derived from BCIS data as this represents the only independent, nationally recognised and publicly available database which is maintained by the RICS.

- 5.10. Both the PPGV and The Harman Report (2012) state that build costs should be based on “appropriate data” such as the BCIS. The use of the BCIS has also been confirmed and supported in numerous recent appeal decisions².
- 5.11. In addition, the aforementioned recent research by Lichfields (Appendix 2) analyses the key assumptions adopted in a wide range of recent LPVAs across the country in order to identify consistencies in terms of best practice. In respect of build costs, Lichfields identified that **95%** (77 studies) of area-wide studies relied on the BCIS. Lichfields highlight the accessibility and transparency of the BCIS database in endorsing its use for the purposes of viability testing.
- 5.12. Within the sample researched by Lichfields, the remaining 5% of studies utilised a combination of BCIS and other sources of evidence, whilst only Barrow-in-Furness moved completely away from the BCIS. Upon review, we have identified that KM carried out the Barrow-in-Furness LPVA.
- 5.13. Accordingly, KM are the only consultant to have departed from the BCIS based on the Lichfields research. Indeed, in all our experience, we have not come across any other consultant whom has utilised another source for the purposes of assessing the base build costs in an area-wide FVA, particularly not an internal, unverifiable database. This is because there is no other recognised and robust independent industry database.
- 5.14. The adoption of KM’s “in-house” database which is not open to full stakeholder and public scrutiny is therefore considered highly irregular. If KM are departing from the use of the BCIS and are utilising another source to inform their assumptions, it is essential that the cost database is market-tested, based on local market data and comprises recent cost information from a wide range of schemes and reliable / accountable sources.
- 5.15. This is crucial to ensure that the cost database is comparable and reflective of the local market, and that the assumptions are therefore based on appropriate market-facing evidence as required by the PPGV. In our view, KM’s database falls short in multiple respects as explained under the sub-headings below.
- 5.16. KM seek to justify the use of their own in-house dataset by claiming that this comprises more “relevant” and “representative” locally-specific evidence in comparison to the BCIS. In particular, KM state that:
- “The new RICS Guidance Assessing viability in planning under the National Planning Policy Framework 2019 for England makes it very clear that wherever possible cost estimates should be based on local market evidence from similar developments”.*
- 5.17. As will be demonstrated in this section, KM’s database does not comprise a sufficient sample of “similar developments” for numerous site types in St Helens and is in fact based on a restricted number and range of schemes, whilst much of the information is highly dated.
- 5.18. For the reasons detailed below, we disagree with KM’s assertions that their in-house database represents more robust evidence in comparison to the BCIS. In fact, KM’s database appears highly unreliable particularly for larger sites.

² See for example: Land North of Coventry Road, Long Lawford – APP/E3715/W/21/3268629 (01/09/21), Land next to School Lane, Milford on Sea, Lymington – APP/B1740/W/18/3209706 (08/04/19). Land at Strode Farm, Lower Herne Road, Herne, Kent – APP/J2210/W/15/3141444 (25/09/17).

Confidentiality / Limited Information

- 5.19. Following stakeholder requests for full transparency in respect of the internal database as part of their 2019 representations, KM have provided some further details in their “Database and Construction Cost Assessment Briefing Note” (June 2020) (‘Cost Briefing Note’) as part of their 2020 Response Note.
- 5.20. Whilst KM have provided high level cost breakdowns for the schemes within the database, the information is still restricted in nature and unverifiable, with the database not open to full independent scrutiny.
- 5.21. KM advise that they have had to anonymise the data from each scheme and limit the level of detail which is shared in order to preserve confidentiality. Within their Cost Briefing Note (paragraph 2.7), KM state that:
- “The information that we have recorded is regarded in all cases as commercially confidential. In some cases we have entered into Confidentiality Agreements that preclude us from disclosing data that is identifiable to either the development or developer. We have therefore respected the general principle of confidentiality in all cases”.*
- 5.22. Within their 2020 Response Note (paragraph 3.27), KM also advise that an excel version of their database can be provided but “*due to commercial confidentiality formulae will not be included as they would refer back to data that cannot be published*”.
- 5.23. As a result, KM do not provide full details of each scheme but rather aggregated anonymised information only (which is reliant on their own subjective analysis as explained later in this section) as presented in Appendix A of the Cost Briefing Note.
- 5.24. This represents a critical limitation of the dataset and precludes full independent verification of the cost information. Transparency of assumptions and evidence is a crucial aspect of all viability testing as set out in the NPPF, PPGV and RICS guidance, and fundamental to determining the weight to be accorded to the viability assessment.
- 5.25. In particular, there are no details of the housing mix, unit sizes, density (units per net acre), assumed specification and/or achievable revenues for each scheme. This is key information which will impact on the standard build costs, as the costs will vary by house type, density and the anticipated specification.
- 5.26. For example, detached houses will have a higher base build cost in comparison to semi-detached and mews types due to the greater roofing and brick wall coverage which comprise more expensive base build cost components.
- 5.27. Further, on lower density sites, the external works cost per plot / psf will be higher due to the larger plot sizes and garden / driveway areas, but also because the total standard estate roads and drainage costs will be split over a small number of units. Base build costs will also vary by market area, with higher costs associated with enhanced specifications in more affluent markets and vice versa.
- 5.28. In summary, therefore, KM’s standard build cost database does not satisfy the transparency of evidence requirements in the NPPF, PPGV and RICS guidance. By consequence, stakeholders cannot verify the data to have confidence that the evidence is robust for the purposes of the viability testing. For this reason alone, we object to the partial and unverifiable data put forward by KM.

- 5.29. In contrast, the BCIS is an independent and publicly available build cost database which is open to full scrutiny and is widely accepted as a robust underpinning evidence base for the build cost assumptions. This has been most recently confirmed in the aforementioned Lichfields research.

Source of Data

- 5.30. A second key issue is that KM do not state whether the build costs in their internal confidential database are based on actual construction costs / tender submissions, in line with BCIS, or estimated build costs based on viability submissions and appraisals prepared by other surveyors / consultants.
- 5.31. Based on the comments at paragraph 2.16 of the Cost Briefing Note and experience from another Local Plan examination, it is assumed that the costs are based on estimates from viability submissions. This represents another fundamental limitation and means that KM are electing to use estimated costs rather than actual cost data relevant to St Helens as provided by the BCIS.
- 5.32. It may be that some of the viability submissions utilised BCIS, although this cannot be confirmed in KM's unverifiable database, and KM directly rebut this point and claim that the costs are assumed to be based on past developments rather than BCIS. In fact, at paragraph 3.20 of their 2020 Response Note, KM have indicated that they do not actually know the source of the costs for the schemes in their database and that they are assuming the costs are based on past developments. The actual source of the costs is therefore unverifiable.
- 5.33. KM claim that the BCIS lacks transparency in the background to the costs which underpin the average pricing, but it is their own database which is in fact opaque.
- 5.34. At paragraph 3.68 of the 2020 Response Note, KM further state that:

“We have been able to interrogate this information [in the cost database] with reference to actual schemes so are assured as to the applicability of this data to St Helens in respect of the type, nature of developer, style and size of housing development”.

- 5.35. If KM do not know the source of the costs for each scheme within their internal database, how can they conclude that they have interrogated the information and are satisfied that it is robust for the purposes of this exercise? This statement is misleading.
- 5.36. KM also contend that the BCIS data is not based on “actual costs” as the actual costs are those agreed on completion of the construction project. We do not agree with this stance. The BCIS data is based on actual Contract Sums as noted by KM, which represents relevant market data.
- 5.37. KM go on to assert that cost estimates in Contract Sums are likely to be overestimated to ensure that the costs are sufficient to cover all aspects of this work. This assertion is unsubstantiated. The purpose of a contingency allowance is to cover cost overruns. It is inappropriate to suggest that quantity surveyors will actively “inflate” costs in their Contract Sums as this would represent double-counting but, more importantly, would suggest that surveyors are deliberately misleading their clients by overestimating costs. We are not aware of any other viability consultant who has tried to claim that BCIS costs are routinely overstated.

Cost Definitions / Components

- 5.38. Based on the partial cost breakdowns provided, KM have compiled the assumed estimated costs for substructures, superstructures, preliminaries, external works within and beyond curtilage, drainage, incoming services, abnormals, fees and contingencies to arrive at a total build costs for each scheme within their dataset.

- 5.39. There are key limitations associated with this approach. Firstly, KM do not provide a clear definition of each cost element to enable stakeholders to understand which costs are included under each heading. Full clarification is required.
- 5.40. Secondly, this approach to the analysis relies on KM correctly identifying and inputting the costs for each element for every individual scheme. As the full source of the costs and the scheme details are not provided, it is not possible for stakeholders to check the calculations for accuracy. Therefore, how can stakeholders be certain that KM have correctly compiled and inputted the data for each scheme and have not omitted certain costs?
- 5.41. Further, how can KM be certain that the estimated build costs adopted for each scheme have been assessed on a like-for-like basis following the exact same definitions in terms of which cost items have been included in the standard build costs and abnormal costs, and within each of their own identified individual cost categories?
- 5.42. KM acknowledge this significant limitation at paragraphs 2.12 and 2.13 of their Cost Briefing Note. Based on our experience, we consider it is highly likely that individual consultants / surveyors will have their own distinct views as to what elements are included and excluded from the standard build costs and abnormal costs.
- 5.43. Indeed, we often experience differences in interpretation of the standard build cost and abnormal cost components when engaging in viability negotiations, analysing developer land bids and preparing expert witness submissions etc, with elements of the standard build costs sometimes included in the abnormal costs and vice versa. This is why it is crucial to agree clear cost definitions from the outset.
- 5.44. This issue is most plainly illustrated in KM's own cost assessments where they have included public open space ('POS') and surface water attenuation in the standard build cost assessments for each site when these cost items would, in our view, be regarded as site-specific abnormal costs.
- 5.45. This is because the POS and surface water attenuation requirements for each individual site are different and tailored to the solution required for that particular site based on the technical constraints (drainage) and local authority requirements (POS). It is therefore not possible to assess a "standard" level of cost for these items.
- 5.46. For this reason, it is essential to have a clear definition of standard build costs to ensure no double-counting or under-costing of cost items within the standard and abnormal costs, and to enable like-for-like comparison. KM have not provided any such definition, nor any definitions for their individual cost headings/categories as referenced above at paragraph 5.38.
- 5.47. KM consider that they can overcome this limitation by analysing the total build costs excluding abnormal costs for each scheme. This is not a robust approach for the reasons outlined above. It follows, therefore, that if KM are analysing their estimate of the total standard build cost excluding abnormal costs for each scheme, KM cannot be certain that the costs for every site actually reflect the total standard build costs and that their analysis is being carried out on a like-for-like basis.
- 5.48. In summary, the analysis is inherently subjective and reliant on considerable judgement / interpretation. This represents another key limitation and again illustrates why the database is not robust or reliable for the purposes of the viability testing.

Sample Size and Site Sizes

- 5.49. Within the Cost Briefing Note, KM have provided their ‘overall’ dataset, which comprises 171 samples (Appendix A), and then the St Helens only dataset, which is much smaller and comprises only 46 samples (Appendix B). KM have grouped the developments / build cost assessments in each database by site size.
- 5.50. The St Helens only dataset is not considered to be sufficiently large so as to be confident that the data is robust, and the average figures are not skewed by anomalous results. This is considered particularly the case for those size categories where there are only very few or just one scheme in the sample. For example, there is only **one** scheme in the 25 – 49 dwelling category. This is not a sufficient sample size from which to draw reliable conclusions.
- 5.51. In relation, perhaps one of the most significant issues is that the KM dataset is not actually representative of the local market in St Helens, and in fact suffers the same limitations as the BCIS in that there is a dearth of data for larger sites.
- 5.52. Within the St Helens dataset, **half** of the schemes are within the 0 – 24 dwellings category. Only **5 schemes** are in excess of 150 units, and only **2 schemes** are in excess of 200 units. One of these schemes has standard build costs of £952 psm according to KM’s unverifiable analysis, and the other has standard build costs of £1,359 psm. This represents an extremely wide range of costs and it is again not possible to draw reliable conclusions from this information.
- 5.53. KM acknowledge this key limitation at paragraph 4.8 of their Cost Briefing Note where they state that:
- “A comparison with developments in St Helens has also been made and the generic costs compared with the average and median values from that dataset. The number of developments is reduced from those in the full dataset and in some categories there is only a single development, namely for the bands 25-49, 226-500 and over 500 hence any comparison in relation to these bands needs to be treated with a degree of caution” (C&W emphasis).*
- 5.54. For this reason alone, even if putting aside all other issues, the dataset is not reliable particularly for larger sites. According to our analysis of the Cost Briefing Note, even in the wider dataset only **26 schemes** are in excess of 150 units, and only **12 schemes** are in excess of 226 units.
- 5.55. It therefore cannot be claimed that the adopted standard build costs in the LPEVA are representative of likely costs as the underpinning evidence base is insufficient. This issue is exacerbated by the dated nature of the sample as outlined below.

Sample Dates – Historic Information

- 5.56. KM’s cost database comprises a significant number of dated schemes from 2012 – 2015. In the St Helens only database which is the most relevant information, **none** of the schemes in excess of 150 units are from 2018, and the single schemes in the 225 – 499 and 500+ dwelling bands are from **2015** and **2013** respectively. The single scheme in the 25 – 49 dwelling category is from **2012**. Even in the wider database, only **3** of the **12 schemes** in excess of 226 units are from 2018.
- 5.57. The unverifiable and partial cost information is therefore highly dated particularly for the purposes of the 2021 Update, meaning that the majority of the schemes are not actually reflective of current build and design standards or market specifications.

- 5.58. By contrast, the BCIS data can be refined so as to limit the cost submissions to the most recent 5 years, thereby helping to ensure that the costs are based on the most recent data and should therefore be more reflective of the current market and specifications. This approach is consistent with the recent appeal decision in respect of Land next to School Lane, Milford on Sea, Lymington (reference: APP/B1740/W/18/3209706, April 2019) where the Inspector favoured the use of the BCIS 5 year data.
- 5.59. As well as the above issues, KM state that they have updated and adjusted the costs for time/date and location using the BCIS TPI and location factors. No details of the calculations are provided to enable stakeholders to check that the adjustments have been accurately undertaken (notwithstanding the other key issues associated with the subjective nature of KM's analysis as previously stated).
- 5.60. Again, there is a lack of transparency associated with the database which, when combined with the multiple other issues highlighted above, means that the evidence falls considerably short of PPGV and RICS requirements relating to robustness of evidence and transparency of assumptions. Full details of the time/date and location adjustments should be provided to enable verification of the data.

Scheme Viability – Impact on Standard Build Costs

- 5.61. Finally, at paragraph 3.29 of the 2020 Response Note, KM contend that their standard build cost dataset may be skewed towards higher costs as the dataset is based solely on non-policy compliant developments / viability submissions which *“by their nature are likely to be less economic”*.
- 5.62. This is a misleading statement. The standard build costs would not vary based on the “viability” of the scheme as implied by KM. These costs would be the same irrespective of whether the scheme in question is viable or unviable as the standard build costs to construct the residential units do not vary (assuming the same specification and house types).
- 5.63. It is the abnormal costs and S106/278 contributions which have a fundamental influence on the viability of the scheme (together with the achievable revenues and profit requirement), and not the standard build costs. The statement at paragraph 3.29 should therefore be disregarded in respect of the standard build costs.

Conclusion

- 5.64. Based on the above analysis, we do not consider that KM's database complies with the NPPF, PPGV and RICS requirements relating to appropriate and transparent market-facing evidence. The database is partial and incomplete, is not verifiable and is fraught with other limitations which collectively mean that it is not a reliable or robust source of evidence for the purposes of the testing.
- 5.65. It is therefore considered highly inappropriate for KM to depart from the use of the only independent, publicly available and transparent base build cost database (BCIS) which is widely accepted for the purposes of assessing site viability, to adopt an “in-house”, unverifiable dataset which is not open to full scrutiny, which is not based on actual build costs / tender submissions, which comprises historic information and which suffers the same limitations as the BCIS (lack of larger sites) which KM claim that their own database overcomes.
- 5.66. The database is most certainly not representative for the purposes of assessing the standard build costs for larger estate housing schemes in St Helens. It is therefore essential that the Council do not seek to hold applicants to KM's assumptions when preparing site-specific FVAs at the application stage.

- 5.67. We remain of the view that the BCIS database represents a more robust and reliable independent and transparent source for assessing the base build costs. Sufficient justification has not been provided to depart from the BCIS which is utilised in the vast majority of area-wide FVAs and has been endorsed in multiple recent appeal decisions and best practice industry guidance.
- 5.68. As well as the key limitations associated with the build cost evidence base, GDS regarded the total standard build costs assessed by KM as at 2018 as understated particularly for the larger sites. This has been explained in their earlier representations. Despite this, KM continue to adopt flawed assumptions in the 2021 Update to the LPEVA as explained in the following sub-section of this report.

Standard Build Cost Assessment – 2018 LPEVA and 2021 Update

- 5.69. For the purposes of the 2021 Update, somewhat remarkably, KM have not increased the standard build costs adopted in the 2018 LPEVA, despite the passage of 3 years in time.
- 5.70. This approach is wholly inappropriate and requires immediate correction. Irrespective of the other inputs adopted in the 2021 Update, KM's approach to build costs means that site viability has been overstated for all typologies. The results therefore cannot be relied on as the basis for formulating deliverable policy requirements.
- 5.71. This is particularly the case when considering that KM's 2018 build costs already appear to have been understated as set out by GDS (which we will illustrate again later in this sub-section) and that KM have increased sales revenues by c. £20 psf (see further comments in Section 7).
- 5.72. Residential build costs have not remained static over a 3 year period. Basic research of housebuilder annual accounts over the past 3 years would have identified this, where cost inflation has been consistently reported.
- 5.73. By way of example, Taylor Wimpey's 2018, 2019 and 2020 annual accounts³ report underlying annual build cost inflation of 3.5%, 4.5% and 3% respectively (11% across the 3 year period). According to Redrow Homes' annual results, annual build cost inflation was reported at 4%, 3.5-4% and 3.5-4% for 2018, 2019 and 2020 respectively⁴ (11-12% across the 3 year period) whilst Bellway Homes reported build cost inflation of 6% over 2018 and 2019.
- 5.74. Moreover, evidence of sharp cost inflation affecting the construction industry has recently emerged as a consequence of supply chain issues and materials/labour shortages primarily associated with COVID-19, Brexit and a global surge in construction demand. We comment further on the recent inflationary pressures later in this section.
- 5.75. KM's rationale for their approach of maintaining the exact same build costs as adopted in 2018 is as follows:

“Our experience is that construction costs have remained largely stable over the period since the LPEVA was prepared in 2018. This is demonstrated by the tender price index which has risen 2 points (0.06%) from 2Q 2018 to 1Q 2021. For the purpose of the update no adjustment was made to the construction cost assessments, as it is considered that those in the LPEVA remain appropriate for the typologies tested”.

³ Taylor Wimpey Annual Report and Accounts 2018 (page 9), 2019 (page 21) and 2020 (page 6), available on Companies House.

⁴ <https://www.bellwayplc.co.uk/investor-centre/financial-performance/results-reports-and-presentations>, <https://investors.redrowplc.co.uk/reports-and-presentations>

- 5.76. This approach is inconsistent with market realities and also fundamentally contradicts the approach which KM have adopted in recent site-specific FVAs across the North West where they have routinely assessed higher standard build costs when compared to the 2021 Update. This will be demonstrated later in this section.

2018 Costs – Benchmarking

- 5.77. Before highlighting the issues associated with the 2021 assumptions, it is first necessary to refer back to the build costs adopted in the 2018 LPEVA which were already regarded as understated as at 2018. This point was previously highlighted in Taylor Wimpey's earlier representations.
- 5.78. We do not repeat GDS' salient comments but to demonstrate this point with full clarity for the Inspector, we have compared KM's assumed 2018 standard build costs to relevant market evidence in order to highlight the clear disparities in the assumptions.
- 5.79. At Appendix C of their Cost Briefing Note, KM present a breakdown of the build costs adopted for the generic typologies. We have utilised the greenfield typologies in our comparison exercise as the abnormal costs are stated separately for these sites according to KM's Briefing Note, other than POS and surface water attenuation which are included in the total build cost figures.
- 5.80. For the purposes of attempting to calculate the "standard" build costs for each typology, we have excluded the POS cost as this represents an abnormal development cost not a standard build cost for the reasons explained above. We have also excluded the contingency and professional fees to enable direct comparison to the standard build costs only.
- 5.81. As shown at Appendix 3, this results in total build costs of c. **£94 – £110 psf** for the generic greenfield typologies at 30 dph and c. **£92 – £108 psf** for the generic greenfield typologies at 40 dph. The generic typologies range in size between 5 – 200 dwellings, with the assumed costs decreasing as site size increases (see Appendix 3).
- 5.82. We note that all of the build cost figures include surface water attenuation which again represents an abnormal cost for the reasons previously stated. It is not possible to calculate the total standard build costs excluding attenuation as KM do not transparently set out their assumption for this cost but aggregate it within the total drainage cost. Clarification is requested. We reserve the right to comment again on receipt of this clarification.

Benchmark 1 – BCIS

- 5.83. In order to "sense check" the reasonableness of KM's 2018 build cost assumptions, we have first referred to the relevant BCIS figures for estate housing in St Helens as at Q3 2018.
- 5.84. The BCIS figures are inclusive of the base house build cost, preliminary costs and a main contractor's overheads and profit but are exclusive of plot external works, standard estate roads, sewers, plot service connection costs, garages, contingencies and professional fees. These costs must therefore be added to the base build costs to determine the total standard build costs for each typology / allocation.
- 5.85. We fully acknowledge that the BCIS Median costs are not necessarily representative of the base build costs for larger sites as these figures do not typically reflect the economies of scale which could potentially be achievable by established regional and national volume housebuilders on larger schemes.

- 5.86. As set out in the Lichfields research (Appendix 2), certain consultants have adopted the approach of applying the Lower Quartile cost to larger sites to reflect that these schemes would likely be developed by established housebuilders who can achieve greater cost efficiencies in comparison to SMEs. Ultimately, irrespective of the approach adopted, the consultant needs to be satisfied that the adopted cost reflects an appropriate base build cost figure for the scheme in question as at the date of the assessment.
- 5.87. The BCIS figures for St Helens as at Q3 2018 are attached at Appendix 4. This data confirms a Median cost of £1,170 psm / £109 psf and a Lower Quartile cost of £1,046 psm / £97 psf for estate housing, based on a sample size of **235 schemes**.
- 5.88. This is considered a much more credible sample size in comparison to KM's St Helens dataset of 46 schemes (c. 20% of the BCIS sample size) which is weighted towards smaller sites and predominantly comprises historic data.
- 5.89. In our experience, a reasonable standard plan-wide assumption for the cost of plot external works, standard estate roads and sewers / drainage for estate housing schemes is typically in the order of 15% of the BCIS base build costs. This aligns with the mid-point of the external works cost identified by Lichfields (Appendix 2).
- 5.90. If applying the 15% allowance to the Median and Lower Quartile figures, this would provide a total standard build cost of **£125 psf** and **£112 psf** respectively. On this basis, if KM assumed standard build costs of £92 – £110 psf as at Q3 2018 (Appendix 3), the BCIS data suggests that KM's costs could have been understated by up to c. **£15 – £20 psf** (noting that KM's standard build costs also include attenuation abnormalities so the actual standard build cost would be lower than £92 – £110 psf).
- 5.91. We note that the use of the unadjusted BCIS costs plus a percentage allowance for external works can sometimes overstate the total standard build costs depending on the figures adopted, hence it is crucial that a market sense-check is undertaken at the same time to be satisfied that the total 'all in' standard build cost is reasonable.
- 5.92. We would not have considered total standard build costs of £112 psf as appropriate for larger sites as at Q3 2018 if developed by a national volume housebuilder. This is why we have utilised the phrase "up to" c. £15 – £20 psf in the preceding paragraph.

Benchmark 2 – KM North West Site-Specific FVAs: Standard Build Cost Assessments

- 5.93. By way of further comparison of KM's adopted costs particularly for the larger sites, we have benchmarked the costs against the standard build costs assessed by KM on 18 different residential sites across the North West where we understand that they were acting as the viability reviewer for the LPA, save for one site in Preston where they were acting for the developer.
- 5.94. We note that there may be some differences in total standard build costs depending on the location and accessibility of the relevant local authority area, but we would not expect this to be too substantial and still consider this evidence to be relevant for the purposes of the benchmarking.
- 5.95. KM carry out a significant number of viability reviews for many LPAs across the North West and have frequently reviewed submissions by C&W and other consultants as shown by the benchmark database of 18 submissions which we have compiled.

- 5.96. The 18 developments largely comprise mid to larger scale estate housing schemes based on viability submissions on behalf of a range of regional and national housebuilders, with no substantial differences in terms of anticipated product or specification as far as we understand. The sites range in size from 57 – 1,028 units, with the majority (12 of 18) being in the order of 150 – 350 units.
- 5.97. The standard build costs were assessed in detail by KM in each of the 18 assessments using their in-house build cost modelling with a full breakdown of each standard build cost component provided for each scheme. Site details have been anonymised and no cost breakdowns are provided in our analysis to prevent specific identification of the data. However, KM will have access to the full details and their cost assessments for every site based on their own submissions and reports.
- 5.98. We have adjusted the standard build costs adopted by KM in each of the 18 assessments to Q3 2018 using the BCIS All-In TPI, in line with the date at which the costs for the original LPEVA were assessed.

5.99. [REDACTED]

5.100. [REDACTED]

5.101. [REDACTED]

Preliminaries

- 5.102. A related issue associated with the KM standard build cost methodology is the way in which the preliminaries costs have been adjusted depending on site size. KM have made a “scale” adjustment as a separate element of the build cost calculations for each typology as shown at Appendix 3, but have also drastically reduced the preliminaries costs as site size increases.

- 5.103. This is illustrated below using the generic greenfield typologies as an example:

KM Preliminaries Cost Assumptions – St Helens LPEVA

Site Size (Units)	5	10	25	50	75	100	200
Preliminaries (£ psf)	£16.10	£11.98	£9.95	£9.78	£8.76	£9.20	£6.18

- 5.104. On this basis, KM’s assumed preliminaries allowance reduces to just c. **£6 psf** for the largest sites. KM have not provided any explanation whatsoever to substantiate the approach. Full clarification is requested.
- 5.105. In fact, KM’s assumptions for the generic typologies are highly inconsistent with their assumptions for the site allocations; by way of example, the preliminaries allowance for site allocations 4HA (2988 units) and 5HA (569 units) are c. **£8.40 psf** and c. **£9.30 psf** respectively. Again, clarification is requested.

- 5.106. Based on the advice of a highly experienced expert quantity surveyor, we do not consider that cost efficiencies can be driven in respect of preliminaries where the cost would reduce as site size increases, as the preliminaries cost is driven by the resources to deliver the scheme at the assumed pace of sale / build, not the size or number of compounds.
- 5.107. To further evidence that KM's assumptions are understated particularly for the larger typologies, below we set out the preliminaries allowances adopted by KM in their review of three FVAs which C&W submitted in 2018 at a similar date to the LPEVA. Site details have again been anonymised but we would mention that the three sites range in size from approximately 75 – 200 units:

KM Preliminaries Cost Assumptions – Other Site-Specific FVAs

Site	South Ribble	South Ribble	South Ribble
Date of KM Review	April 2018	April 2018	September 2018
Preliminaries (£ psf)	£13.56	£11.03	£10.99

- 5.108. This evidence clearly illustrates that KM's allowances in the LPEVA are insufficient and inconsistent with the preliminaries costs which they assessed on other similar standard estate housing schemes at a similar point in time.
- 5.109. We would also note that the three comparator sites in the table above were assessed pre-COVID and therefore do not account for any increased preliminaries costs due to additional site safety measures etc, nor extended build periods as a consequence of COVID-19.
- 5.110. According to BCIS Note dated 19th June 2020 entitled "*Adjusting BCIS data for the effects of COVID-19*" (Appendix 6), the pandemic has had three potential affects:
- Preliminaries: lengthening due to extended contract period and thickening due to increased cost of supervision for SOP, increased welfare, PPE, etc;
 - Market conditions: reduced demand, reduced availability of resources, and increased overheads; and
 - Productivity: changes in productivity resulting from the implementation of site operating procedures (SOP).

- 5.111. These issues raised by the BCIS are now a relevant consideration and indicate additional preliminary costs caused by the likely productivity changes and the lengthening and thickening of the preliminaries.
- 5.112. We therefore strongly recommend that KM review their preliminaries cost assumptions and increase this to a fair and realistic position in current market conditions.

Public Open Space

- 5.113. Our analysis at Appendix 3 demonstrates that there are some notable inconsistencies in respect of the POS allowances within KM's cost assessments.
- 5.114. For the generic greenfield typologies at 30 dph, the POS costs generally increase as site size increases but there is a reduced allowance applied to the 50 dwelling typology. When analysing the 40 dph typologies, there is a much reduced allowance for the 75 dwelling typology of just c. £9 psf, compared to c. £22 psf for the 50 and 100 dwelling typologies.

- 5.115. KM do not provide any explanation for the inconsistencies. The arbitrary reductions for certain typologies is inappropriate and understates the POS costs for the relevant sites. We have undertaken a sense check of the greenfield typologies only but from our initial review it appears that the same issues are evident in the brownfield typology cost assessments.
- 5.116. We request that KM review the POS assumptions and provide full justification for the adopted costs, together with amending the apparent anomalies where relevant.

Site Allocation 4HA

- 5.117. Although the standard build costs issues identified in this section are relevant to all sites, it is necessary to highlight that the standard build costs for site allocation 4HA are based on an assumed scheme comprising 2,988 units.
- 5.118. Therefore, if individual development parcels are brought forward comprising smaller schemes, such as Taylor Wimpey's land interest of 290 units, the same cost efficiencies will not be achievable and a higher standard build cost would be appropriate, notwithstanding all other key issues associated with the build cost assumptions as set out in this section.

2021 Cost Update (Lack Of)

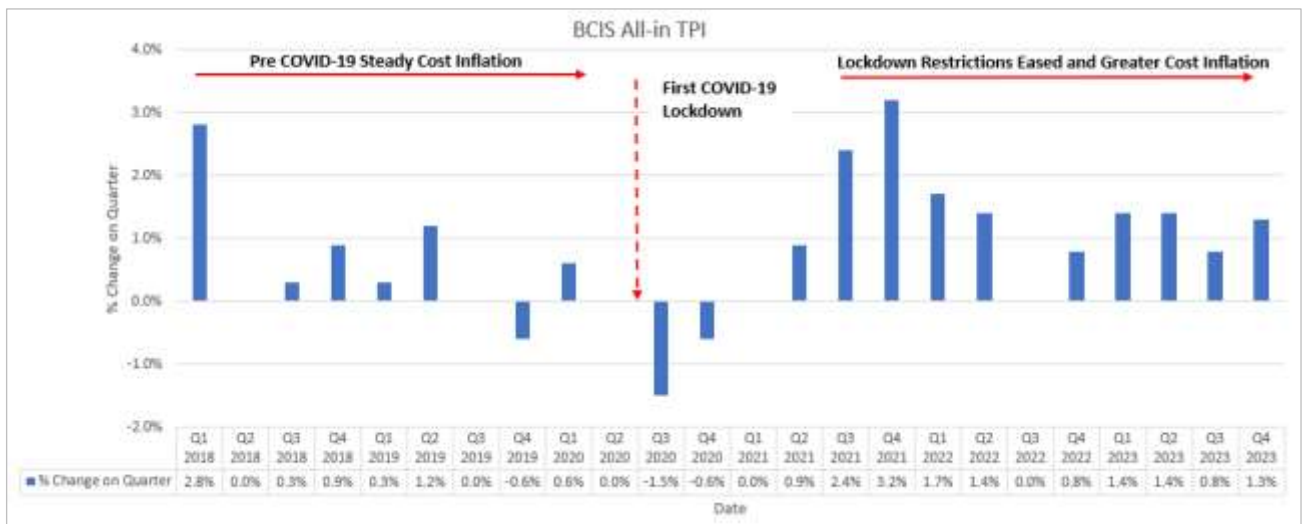
- 5.119. We have demonstrated that KM's assumed standard build costs in the 2018 EVA were understated. It would therefore have been crucial for KM to uplift the build costs for the purposes of the 2021 assessment, both to rectify the previous cost understatement and to account for general cost inflation over the 3 year period.
- 5.120. [REDACTED]
- 5.121. [REDACTED]
- 5.122. KM seek to justify their approach by reference to the BCIS All-In TPI which suggests nil cost inflation over the 3 year period to Q1 2021 however we would question the reliability of the TPI data as at the beginning of this year. We are aware that the BCIS TPI can produce anomalous results on rare occasions however this has become more of a risk since the outbreak of COVID-19.
- 5.123. There is evidence from the BCIS that the TPI data has been affected by the lack of samples being submitted because of the effects of the COVID-19 pandemic during lockdown. For example, the BCIS confirmed in its Note dated 13th July 2020 entitled "BCIS Price Indices and COVID-19" (Appendix 7) that *"the flow of available schemes has slowed significantly"* and it was relying on *"the output from the BCIS TPI Panel to determine the TPI until such a time as sufficient projects are available for indexing or alternative approaches are available"*.
- 5.124. The BCIS indicated that the TPI figures may therefore have been less reliable than before. This would still have been a particularly relevant consideration for the Q1 2021 figures which KM have referenced in an attempt to justify their approach of maintaining the same build costs, as the UK was placed in a third national lockdown from 6th January 2021 to the end of March 2021, essentially the whole of Q1 2021. There were two earlier lockdowns in 2020 (March – June 2020 and November – December 2020).

5.125. It is therefore quite possible that the Q1 2021 TPI figures (and the Q2-Q4 2020 figures) are based on a smaller sample of submissions and are not the most reliable basis upon which to estimate the extent of cost inflation.

5.126. This is perhaps most clearly illustrated in the TPI trends over the previous 2 – 3 years (Appendix 8), where the TPI had, generally, been steadily increasing from 2018, through 2019 and early 2020 before the COVID-19 pandemic hit and samples were likely to have been affected by the lockdown measures and disruption to construction activities.

5.127. The graph below depicts these changing trends:

BCIS All-In TPI



Source: BCIS All-In TPI

5.128. KM should have acknowledged these relevant circumstances when reviewing the Q1 2021 TPI figures and considered alternative measures of cost inflation to inform their assumptions. Given that the build costs adopted in the 2018 LPEVA were understated, the same costs as adopted in KM's 2021 Update are therefore regarded as significantly understated.

5.129. [REDACTED]

5.130. [REDACTED]

5.131. [REDACTED]

Summary

- 5.132. For the reasons outlined in this section, we consider that KM's internal build cost database cannot be relied on for the purposes of the testing and we strongly recommend that the BCIS is utilised in the absence of any credible justification for an alternative source.
- 5.133. We have also demonstrated that the standard build cost assumptions in the 2021 Update are heavily understated. This has the effect of overstating the viability of development which is compounded by the fact that KM have increased sales values by c. £20 psf in the 2021 Update.
- 5.134. For this reason alone, it is our view that no weight can be attributed to the results in the 2021 Update and by consequence, there is currently no robust, up-to-date viability evidence to demonstrate that the total cumulative policy burden is deliverable.
- 5.135. It is therefore considered essential that KM revisit both the source of evidence for their build costs and the adopted costs as recommended in this section. In updating the assumptions, KM must provide robust and transparent market evidence to demonstrate that the cost inputs are appropriate for the purposes of plan-wide viability testing in St Helens as at the date of the assessment.

Cost Inflation

- 5.136. Before proceeding to Section 6, it is necessary to highlight the recent sharp cost inflation which is affecting the construction industry over Autumn 2021 / Winter 2021/2022 as a relevant consideration which will impact on site viability depending on the time which it takes for construction market conditions to stabilise.
- 5.137. It is fully acknowledged that the build cost inputs (and all other assumptions) have to be assessed at a specific point in time for the purposes of the LPEVA and it is not possible to constantly update the assumptions to account for changes in market conditions. However, the construction market pressures are likely to place further constraints on site viability.
- 5.138. This is evidenced in the BCIS' five-year forecast published in October 2021 (Appendix 10) which reported that tender prices are under pressure from the rising materials prices and site labour rates, together with stronger demand. This has resulted from a combination of factors including supply chain bottlenecks due to global demand shocks, container shortages, increased port administration due to the UK-EU Trade and Cooperation Agreement and sharp rises in shipping costs.
- 5.139. The full BCIS analysis is attached at Appendix 10 and sets out a series of headline statistics and forecasts including an increase in materials prices and labour rates of 16.9% and 10% respectively in Q3 2021 compared with a year earlier.
- 5.140. The BCIS data broadly correlates with the recent *Building Materials and Components Statistics* release by the Department for Business, Energy and Industrial Strategy (November 2021)⁵, according to which UK construction materials annual price inflation in the 3 months to October 2021 was 23.8%.
- 5.141. By way of further evidence, the BCIS has recently published a news article which identifies that construction materials costs in the UK continue to escalate and have reached a 40 year high⁶ with Brexit complications compounding the unprecedented shortages and delays caused by increased demand, COVID-19 and logistical constraints.

⁵ <https://www.gov.uk/government/statistics/building-materials-and-components-statistics-november-2021>

⁶ <https://www.rics.org/uk/news-insight/latest-news/news-opinion/construction-materials-cost-increases-reach-40-year-high/>

- 5.142. Analysing the impact of recent materials' price increases, Joe Martin, BCIS Lead Consultant commented that:

“The pressure on materials prices and availability is expected to continue at least until the end of 2022. Labour shortages are expected to evolve as the significant driver for overall construction cost increases next year and the construction sector would need to compete for it with other sectors”.

- 5.143. This indicates that cost inflation will continue to place pressure on viability as sites come forward in 2022 and potentially beyond which KM are requested to consider in revising their build cost assumptions and the sensitivity testing which they should be undertaking. We also recommend that the Council have due regard to relevant market conditions as development is brought forward at the application stage over the plan period.

6. Other Comments on KM 2020 Response Note

- 6.1. Taylor Wimpey has previously submitted representations highlighting their concerns with respect to other assumed inputs in the LPEVA in addition to the standard build costs, where KM have adopted an unrealistic position and/or have not sufficiently evidenced their assumptions. It is not necessary to repeat the earlier comments within this report.
- 6.2. However, Taylor Wimpey has not yet had the opportunity to comment on KM's 2020 Response Note in respect of the other issues raised in the Note alongside the standard build costs. In our view, KM have not adequately addressed all other concerns raised by stakeholders which is the focus of this section of our report.

Housing Mix

- 6.3. GDS have previously highlighted a range of issues and limitations associated with the housing mix and unit size assumptions adopted in the LPEVA and we do not repeat these points, however we would reinforce that KM have not differentiated the housing mix or unit sizes by market / value area, nor by density of typology (30 / 35 / 40 dph) which is regarded as an inappropriate approach.
- 6.4. Within their 2020 Response Note, KM contend that their approach is "pragmatic" but we disagree. A more refined approach is necessary if the LPEVA is to provide an accurate and realistic assessment of development viability across St Helens and this would not result in substantial additional work as KM seem to be implying.
- 6.5. The housing mix and unit sizes have a key impact on site viability and will vary depending on market demand and purchasing power across St Helens, with more affordable, smaller units weighted towards mews / semi-detached types typically more appropriate in lower value markets and larger houses comprising a greater proportion of detached properties more typical in the stronger markets.
- 6.6. Similarly, a higher density scheme would typically be characterised by a greater proportion of smaller mews / semi-detached units and vice versa for lower density sites to ensure that the total site coverage (sq. ft. per ha / acre) sits within a reasonable market-facing range. The mix, unit sizes and density will impact on the achievable values as highlighted by GDS in their earlier representations on behalf of Taylor Wimpey.
- 6.7. For the above reasons, therefore, KM's "blanket" mix and unit size assumptions are not appropriate and different assumptions will be necessary on many sites according to market demand in that location and the appropriate scheme density. We strongly recommend that KM revisit their assumptions to reflect a realistic differentiation across the different typologies and market areas as suggested by GDS.
- 6.8. In relation to the above, it is noted that KM's assumptions are based on the SHMA (2018) and the analysis of planning applications contained at Appendix 1 of LPEVA. The SHMA is dated being based on the 2016-based Household Projections, as is the analysis of planning applications which are from 2016 and 2017.
- 6.9. The planning applications also predominantly comprise smaller schemes of c. 50 units or less, with only two schemes over 100 units in size (134 and 142 units respectively) and therefore do not necessarily provide a robust indication of representative housing mixes and unit sizes on larger sites.

- 6.10. KM have not undertaken any up-to-date market analysis to inform the mix or unit sizes in the 2021 Update, nor have they made any amendments to the 2018 assumptions. The mix and unit sizes are therefore regarded as insufficiently evidenced for the purposes of the 2021 Update as the evidence base is too dated. We recommend that an updated market review is carried out including analysis of the consented schemes across recent applications to ensure that the assumptions are aligned with the latest market evidence.
- 6.11. Notwithstanding the above comments, we note that the LPEVA cannot reflect every eventuality and if the actual proposed housing mix and unit sizes differ from those assumed in the LPEVA, there could be a different impact on site viability which could influence the scale of planning obligations that are achievable from each site.
- 6.12. It will therefore be necessary for the Council to consider each planning application “on its own merits” as suggested by KM, taking into account relevant evidence including the most up-to-date SHMA. We would stress that this does not mean that KM should not be adopting a more robust position in the first instance as recommended above.

Net Developable Area

- 6.13. In respect of site area ratios, KM have adopted a gross:net developable area of 75% for all sites over 2 hectares in size based on the formula contained in the 2017 SHLAA. This is considered to sit towards the upper end of realistic average allowances for the purposes of the testing and it is important to note that the gross:net discount will vary on a site-by-site basis depending on the technical constraints, with some schemes having a higher discount and others lower.
- 6.14. This is evidenced through a sample of Taylor Wimpey’s recently consented new build schemes across the North West as set out in the table below. The overall average across the four sites is slightly below KM’s average allowance and the variation on a site-by-site basis is highly apparent:

Gross:Net Site Area – Taylor Wimpey Planning Consents

	Fox Wood, Whiston	Whitakers, Knowsley	Heritage Way, Brymbo	Grane Road, Rossendale	Average
Total Units	350	227	70	131	195
Gross Area (Acres)	40.04	19.66	5.84	13.84	19.85
Net Area (Acres)	24.59	16.47	4.75	9.07	13.72
Gross:Net (%)	61%	84%	81%	66%	73%

Source: Taylor Wimpey Planning Consents⁷

- 6.15. In respect of the larger allocations in particular and based on the known site constraints and policy requirements, Taylor Wimpey consider that the blanket 75% assumption may overstate the net developable area for larger sites.
- 6.16. Therefore, not every site will align with KM’s blanket assumptions and there is a need for flexibility and review on a site-specific basis. We request that KM acknowledge this principle in their revised LPEVA.

⁷ Full site layouts can be provided on request.

Abnormal Costs

- 6.17. A further significant issue in the LPEVA is the abnormal cost allowances adopted in the testing for all typologies. Taylor Wimpey set out their concerns with respect to the abnormal costs as part of their previous representations. KM have provided some limited commentary in response as part of their 2020 Response Note however the key issues have still not been addressed.
- 6.18. According to our analysis, the abnormal costs assumed by KM are predominantly in the order of:
- Generic brownfield typologies: **£5,500 – £6,500 per plot** (varies by site size and density)
 - Generic greenfield typologies: **£0 – £8,300 per plot** (varies by site size)
 - Site allocations: **£500 – £3,500 per plot** with an overall average abnormal cost allowance across the nine allocations of **£3,183 per plot**.
- 6.19. The total abnormal cost allowances for all typologies are regarded as insufficient and contradictory to market realities. It is also noted that the abnormal cost allowances for the generic greenfield sites relate to off-site abnormal works only. Therefore, there is no allowance for the inevitable on-site abnormal costs which will be incurred on many of these sites including but not limited to abnormal foundations, cut and fill, retaining walls, ecological mitigation and so on.
- 6.20. KM have not provided any substantive justification or rationale for the abnormal cost allowances despite Taylor Wimpey previously raising concerns over this input. As such, there is still no robust evidence to demonstrate that the allowances are reasonable and sufficient to address likely site constraints and policy requirements for the tested typologies. This does not form a robust basis upon which to assess viability at the plan-making stage.
- 6.21. In all our experience across residential land agency, viability, valuation and expert witness submissions, only in exceptional circumstances have we seen residential development sites with total abnormal costs towards the upper end of the range proposed by KM for generic greenfield sites (i.e. c. £8,000 per plot) however this would be the absolute exception rather than the norm. We have never seen sites with abnormal costs at the nominal average levels (per plot) proposed for the generic brownfield typologies and the site allocations.
- 6.22. KM are requested to provide clear market evidence of any residential site with actual abnormal costs which are comparable to the levels assumed in their testing for these typologies. KM do at least acknowledge that the total abnormal / extra over costs will be higher for some sites (paragraph 3.41, 2020 Response Note). KM have also clearly stated that the allowances for the allocations are provisional only.
- 6.23. Further, there is another important point to highlight in respect of the allocations where KM state that:
- “For the allocations tested abnormal costs are included, with the assessment of these costs based on known information at the time of preparation of the EVA which is a reasonable approach”* (paragraph 2.3, 2020 Response Note).
- 6.24. As stated in Section 5, KM have not updated any of the cost inputs for the purposes of their 2021 Update which is the first key limitation associated with their approach. Secondly, the abnormal costs have been assessed as at 2018 over 3 years ago and therefore do not account for any potential changes in costs and site circumstances based on additional due diligence which may have been carried out by the promoters of the allocations during this time period.

- 6.25. To further demonstrate the cost insufficiencies in the LPEVA, we refer to our internal abnormal / extra over cost database where we have monitored the costs which we have recently experienced on a wide range of residential development sites (including greenfield and brownfield) as part of previous land disposals, expert witness work and site-specific FVAs which we have been involved in and/or are aware of.
- 6.26. KM were involved in a number of these sites where they were acting as viability reviewer of the C&W site-specific viability submissions on behalf of the LPA, including reviewing the submitted abnormal costs.
- 6.27. The abnormal / extra over costs within the sample sites cover a wide range of cost heads including but not limited to remediation, ecological mitigation, abnormal drainage, acoustic mitigation, abnormal foundations, cut and fill, retaining walls and abnormal services costs. It is noted that KM's abnormal cost allowances for the tested typologies do not cover many of these cost heads.
- 6.28. The range of abnormal costs and the overall averages across the different site sizes are shown in the table below. Please refer to Appendix 11 for the full schedule. Site details have been anonymised for confidentiality reasons to prevent specific identification of the data⁸.

Abnormals / Extra Over Costs – Example Sites

	Site Size (Units)	Abnormals / Extra Over Costs Per Net Acre	Abnormals / Extra Over Costs Per Plot
0 – 99 Units			
Maximum	43	£482,000	£36,000
Minimum	98	£132,000	£11,000
Average	69	£304,571	£23,143
100 – 249 Units			
Maximum	100	£483,000	£52,000
Minimum	120	£120,000	£8,000
Average	158	£313,050	£22,524
251 – 550 Units			
Maximum	272	£458,000	£36,000
Minimum	334	£251,000	£12,000
Average	379	£316,500	£22,333
551+ Units*			
Average	784	£223,000	£15,000
Overall Average	211	£309,667	£22,395

Source: C&W Internal Database based on Housebuilder and Cost Consultant Data

*Costs have been rounded to the nearest £1,000. Note that there is only 1 site in the 551+ unit category.

- 6.29. The abnormal / extra over costs across the greenfield and brownfield sites within the sample range from c. £120,000 – £485,000 per net acre / £8,000 – £52,000 per plot. The overall average across the entire sample of 38 sites equates to c. **£310,000 per net acre / £22,000 per plot.**

⁸ Please note that abnormal cost information has to be provided from internal confidential data sources as there is no publicly available database for abnormal costs as there is for the standard build costs, such as the BCIS. This is why the information has to be anonymised.

- 6.30. There is no clear trend to suggest that greenfield sites have lower abnormal / extra over costs than brownfield sites with both site types having a range of total costs. What is also evident from the data is that the costs vary significantly across the sites due to site-specific differences in terms of technical constraints and infrastructure / enabling works requirements.
- 6.31. In summary, therefore, the evidence demonstrates that there is a clear disparity between the LPEVA allowances for the tested typologies and the “real world” position in respect of abnormal costs for many sites. KM could have undertaken similar analysis to inform the LPEVA assumptions and are fully aware of this “real world” position as they frequently appraise such sites and have an understanding of the extent of the abnormal costs.
- 6.32. It is not appropriate to base the LPEVA on such low abnormal cost allowances as the assessment will overstate the viability of most, if not all sites and policy requirements will be set at unrealistic levels. This will inevitably defer viability to the application stage for the majority of sites which will lead to delays in schemes being brought forward for development, as housebuilders / landowners will have no choice but to submit site-specific FVAs to challenge the inaccurate assumptions in the LPEVA and negotiate more reasonable policy requirements based on the true viability of the site.
- 6.33. As such, it is regarded as essential that KM revisit the abnormal cost assumptions and include more reasonable allowances in the plan-wide testing. For clarity, we are not suggesting that the abnormal costs should be set at the exact same level as we often see in site-specific viability submissions at the application stage, as the LPEVA cannot account for every eventuality nor fully eliminate site-specific FVAs and indeed this is not the purpose of a plan-wide study.
- 6.34. However, this does not at all downplay the importance of adopting a more robust position at the plan-making stage in the first instance. The abnormal cost allowances should be within a more reasonable range so as to at least try to limit the need for site-specific FVAs at the application stage where possible.
- 6.35. Even after revising the assumptions, it is still imperative that there is sufficient flexibility in the relevant policies and the ability to revisit viability at the application stage where necessary, in order to account for site-specific circumstances where the actual abnormal costs are higher than adopted in the LPEVA as this will inevitably be the case for some sites. We comment further on this point later in this sub-section.

Strategic Infrastructure Costs

- 6.36. At paragraphs 3.39 – 3.40 of their 2020 Response Note, KM rebut GDS’ position by contending that the strategic infrastructure and utility costs referred to in the Harman Report (2012) of £17,000 – £23,000 per plot for larger schemes relate to standard roads and sewers “*that most development will require*”.
- 6.37. We strongly disagree with this interpretation and have never seen any other consultant adopt such a stance. In our view, KM are attempting to hide their understated abnormal cost allowance for opening up works on greenfield sites by challenging the Harman Report definition.
- 6.38. When reviewing the Harman Report, there is clear and separate reference to “external works” and “infrastructure” on page 35, and then to “on-site” and “strategic” infrastructure on page 36. We therefore consider that it is sufficiently clear in the guidance that standard on-site external works, roads and sewers associated with the individual plots and strategic infrastructure / abnormals are different cost items.

- 6.39. As highlighted in Taylor Wimpey's previous representations, KM's allowances for abnormal opening up costs on greenfield sites (£0 – £8,300 per plot) fall significantly below the guideline range in the Harman Report.
- 6.40. If the current assumptions are maintained, it is therefore highly likely that site-specific FVAs will continue for the majority of sites in St Helens as the actual abnormal / infrastructure costs (covering both on-site and off-site costs) will be greater, meaning that it may not be possible for all sites to comply with full policy requirements once the true costs and values are factored in to the assessment.
- 6.41. As stated above, we strongly recommend that a more reasonable total abnormal cost allowance is included in the base testing assumptions for all typologies. We fully recognise that it is not possible to reflect every eventuality nor set out a line-by-line breakdown of every single required abnormal cost at this stage of the process, as the generic typologies are hypothetical and further due diligence still needs to be undertaken for all sites which come forward to clarify site-specific design requirements, technical solutions and associated costs.
- 6.42. This represents one inevitable limitation / tension associated with the government's aspirations to "frontload" viability testing to the plan-making stage as site-specific abnormal costs will not be fully known until the application stage. This is why flexibility in relation to viability is crucial irrespective of the plan-wide assumptions.
- 6.43. Nevertheless, this does not justify the alternative unsubstantiated approach to abnormal costs as adopted by KM. The realities of delivering new residential development need to be reflected in the plan-wide testing as far as possible at this stage of the process with robust and justified assumptions, notwithstanding some potential cost uncertainties.
- 6.44. Taylor Wimpey do not have confidence that the abnormal cost allowances adopted by KM for the typologies are appropriate upon which to base the Local Plan viability testing, particularly when combined with the issues relating to other key appraisal inputs as referred to throughout this report.
- 6.45. We therefore reinforce the need for KM review their nominal abnormal cost allowances and amend their assumptions as necessary for all typologies. As stated above, we are not suggesting that a detailed breakdown needs to be included at this stage, but that the total provisional abnormal cost allowances per plot / per net acre for all typologies should be within a more reasonable range.
- 6.46. At present, without any firm evidence to justify the assumptions and in light of the above analysis, it can only be assumed that the current allowances are not sufficient. A failure to account for all relevant costs would have the effect of overstating site viability. This represents another important reason as to why the results of the LPEVA cannot currently be supported or relied on as a basis for formulating policy requirements.

Professional Fees

- 6.47. At paragraphs 3.42 – 3.44, KM rebut GDS' suggestion that professional fees should be assumed at 7% for smaller sites and 10 – 12% for larger sites. KM's rationale is that their construction cost database and GDS' site-specific FVAs submitted to KM both suggest lower professional fee allowances.

- 6.48. As stated above, KM's build cost database is not considered a robust source of evidence for the purposes of informing any of the assumptions in the LPEVA. The analysis is inherently subjective and fraught with limitations which provides no confidence that the allowances relating to fees are reliable. As such, all comments relating to this unverifiable database as justification for any assumptions should be disregarded.
- 6.49. Further, there may have been site-specific reasons as to why lower professional fee allowances were adopted by GDS within their submissions hence we do not consider it appropriate to benchmark directly to their site-specific FVAs for this key assumption.
- 6.50. Even then we would note that GDS applied professional fees of 7% or more in the majority of their assessments as referenced by KM at Table 3.2. Despite this, KM continue to maintain professional fees of 5% for all sites of 100+ units and 6% for sites of 26 – 99 units.
- 6.51. We do not support KM's assumptions for the purposes of plan-wide viability testing and request that they provide evidence from any other area-wide FVA (excluding their own) where similar levels of professional fees have been applied to medium and larger sites.
- 6.52. Based on our extensive market experience and the professional fee allowances we typically see adopted in other area-wide FVAs, we would suggest a reasonable minimum 7% allowance for the generic typologies so as to not test the margins of viability at the plan-making stage in accordance with recognised best practice.
- 6.53. A higher allowance may potentially be appropriate for the more complex and technically-difficult sites to reflect the additional planning, technical and promotional costs incurred on these sites. This should be explored in dialogue with the relevant stakeholders of the larger allocations.

S106 Contributions

- 6.54. GDS previously highlighted concerns relating to the generic allowance of £1,000 per plot for S106 contributions adopted in the 2018 LPEVA which is likely to be insufficient particularly for larger sites when considering the greater infrastructure requirements and mitigation to make development acceptable in planning terms.
- 6.55. In particular, it is considered inappropriate to apply the same blanket S106 assumption to strategic sites which are subject to site-specific and more substantive policy requirements in respect of the required infrastructure. As set out in Section 4, recent research by Lichfields (Appendix 2) emphasises the importance of adopting more bespoke, site-specific assumptions for strategic sites which deviate from the wider high level viability assumptions used for the generic typologies.
- 6.56. KM have provided some further "evidence" to substantiate their generic assumption based on a summary of the S106 contributions secured by the Council from applications providing a total of 3,545 dwellings (Table 3.4).
- 6.57. No details of the reviewed S106 agreements have been provided including important information such as the scheme locations, sizes, date of S106 agreement and a breakdown of the total contributions for each site. The scheme size information is regarded as particularly important to assess whether larger schemes contributed proportionally greater sums in comparison to smaller developments.

- 6.58. We request that full details of the evidence base are shared as it is not possible to comment on the robustness of the data and resulting assumptions without this information. This is crucial to verify that the assumed cost allowance is sufficient to comply with existing and emerging policy requirements, with a clear breakdown of the assumed costs for satisfying each requirement provided to verify the blanket 'per unit' assumption.
- 6.59. In the absence of evidence to demonstrate that the S106 contributions are consistent irrespective of site size, we disagree with KM's approach of adopting an average S106 cost for all typologies. In reality, S106 contributions will most likely vary by site size, as larger sites have greater infrastructure / mitigation requirements, often resulting in the need for higher S106 contributions.
- 6.60. This is consistent with Taylor Wimpey's experience in developing a wide range of larger scale estate housing schemes across the North West. We have sought example S106 Agreements in St Helens to further support our comments but could not locate any recent agreements online.
- 6.61. Below we have therefore summarised the contributions from a range of sites in neighbouring authorities to demonstrate the scale of allowances sought on mid and larger sized schemes:

Example Sites – S106 Contributions

Site	Units	Total S106 Contributions	Total S106 Contributions Per Plot
Zodiac, Westbrook	79	£461,558	£5,843
Hawthorn Grove, Appleton Thorn	71	£678,939	£9,563
Beamish Place, Sandymoor	186	£3,192,490	£17,164
Pocket Green, Lowton	119	£878,697	£7,384
Persimmon Gardens, Hindley	84	£366,284	£4,361
Weaver Meadows, Winsford	215	£703,897	£3,274
Higher Road, Halewood	162	£1,619,990	£10,000
Lingley Green, Great Sankey	265	£2,730,000	£10,302
Average	148	£1,328,982	£8,486

Source: Online Planning Portals

- 6.62. This evidence provides an indication of the considerably greater contributions often sought on larger schemes which must be accurately reflected in the viability testing otherwise the viability of the larger sites could be overstated.
- 6.63. We are also concerned that the allowance of £1,000 per plot is to cover highways and health contributions only according to KM. This approach is regarded as inappropriate as Policy LPA08: Infrastructure Delivery and Funding states that development will be required to contribute to the provision, improvement or replacement of required infrastructure, with the supporting text defining "infrastructure" in Appendix 2 to include:
- **Physical infrastructure** such as roads, railways, sewers and water supplies;
 - **Social infrastructure** such as education and health establishments, neighbourhood retail or leisure uses, built sports and recreation facilities, cultural, emergency service and community facilities and institutions;

- **Green infrastructure** such as parks and playing fields; and
- **Digital infrastructure** such as telephone and internet facilities.

- 6.64. KM have accounted for open space and education elsewhere in the testing but have not accounted for the multitude of other potential infrastructure requirements as defined in Appendix 2 of the Local Plan. This makes the token allowance of £1,000 per plot even more inappropriate in our view.
- 6.65. We also request clarification that the education contributions assessed by KM for all typologies are still accurate given that the assessments were based on the education contributions formula as at 2018 which we assume reflected need and demand at this time rather than as at 2021.

Renewable Energy

- 6.66. Emerging Policy LPC13: Renewable and Low Carbon Energy requires proposals for new development within strategic employment and housing sites to seek to ensure that 10% of their energy needs are met through decentralised energy systems using renewable and low carbon energy.
- 6.67. KM state that they have adopted costs for complying with these requirements within the site-specific testing of the strategic sites. Based on the appended cost assessments for the site allocations, it appears that KM have allowed for additional costs based on the use of PV but the actual cost assumption is not stated anywhere in the report or appendices.
- 6.68. Full clarification is requested. We reserve the right to comment again on receipt of this information.

Electric Vehicle Charging Points

- 6.69. KM have costed electrical vehicle charging points at £220 per dwelling. Within their 2020 Response Note, KM state that this cost is based on costs for cabling and a point for future connection but does not include the charging point itself as KM consider that this element can be grant-aided provided that the installation is made as a part of the purchase of an electric car.
- 6.70. KM's approach is not accepted. It is not appropriate to assume that a purchaser will successfully identify and obtain grant funding for the charging point and it is not clear if KM's approach would satisfy the Council's policy requirements relating to the provision of charging points.
- 6.71. In any case, the grant funding scheme which KM refer to expires in April 2022 and will therefore not be available to the owners of new build homes delivered over the plan period. Further, KM's approach would not appear to accord with the new requirement (by law) to install electric vehicle charging points to all new homes from 2022⁹. The cost allowance of £220 per unit therefore needs to be increased to cover the charging point itself.
- 6.72. As well as the above key issues, in order to assess whether the uplifted allowance is reasonable, the type of infrastructure and the specification of the charging facilities upon which the cost allowance has been based needs to be clearly set out.
- 6.73. The cost of charging points can vary quite substantially depending on the type of charger. For example, rapid charging facilities can lead to the requirement for additional sub-stations, whilst upgraded cabling is often necessary even for more basic charging points to cope with the additional demand on the electricity supply network. Key factors such as minimum mode type for the vehicle charging points must therefore be specified.

⁹ Consultation Response: EV Charge Points in Residential and Non-Residential Buildings (November 2021)

- 6.74. In relation to the above, we would also note that the Council do not appear to have engaged with the main energy suppliers in order to determine network capacity in St Helens to accommodate any adverse impacts if all dwellings have a charging facility.
- 6.75. If charging demand became excessive, there may be constraints to increasing the electric loading in an area because of the limited size and capacity of existing cables and new sub-station infrastructure may be necessary even if the charging points were not super-fast charging. The cost of such infrastructure would not be covered by a nominal allowance per dwelling and would adversely impact on site viability.
- 6.76. In this respect, KM do acknowledge GDS' comments that electrical infrastructure reinforcement is an increasingly likely requirement as large-scale use of electric car charging will place pressure on the local electrical supply network. KM note that this will depend on the state of the local infrastructure as well as whether the policy is complied with.
- 6.77. We would reiterate these points and would expect KM to advise that policy flexibility is therefore crucial for those sites which do require network reinforcements. This is more likely to be the case for larger sites where the greater number of new charging points will put more pressure on the grid.

Accessibility Standards

- 6.78. KM have adopted a cost of £5,500 per unit for complying with accessibility standard M4(3A). This cost is regarded as too low when compared to government guidance (DCLG – *Housing Standards Review* (September 2014)) which suggests an average cost of £10,210 per plot. This would equate to just under £14,000 per plot after indexation to Q4 2021 using the BCIS All-In TPI
- 6.79. We would note that other recent emerging North West LPVAs such as Eden (August 2021) and Hyndburn (October 2021) have adopted the government costs uplifted for indexation.
- 6.80. KM further contend that the accessibility standards may increase sales values. No evidence is provided to support this unsubstantiated assertion. In fact, we would mention that the viability impact will be greater on sites in lower value areas and/or where there is little demand for property from elderly residents.
- 6.81. In these cases, the build costs would increase but this may not be offset by an increase in revenue, as the prevailing values and/or lack of demand would limit the achievable end values for the properties. In the worst case scenario where there is inadequate demand, the properties could potentially be unsellable.
- 6.82. In this instance, the requirement to meet the enhanced Building Regulations standards may not be viable or actually deliverable on site. It is therefore crucial that there is sufficient flexibility incorporated into the policy which takes account of site-specific viability considerations and local housing need / demand in different parts of St Helens.

Garage Costs

- 6.83. GDS previously highlighted the need for an appropriate cost for garages to be included within the LPEVA cost assessments. Within their 2020 Response Note, KM have confirmed that their 2018 assessments included an allowance of £7,400 and £11,800 respectively for single and double detached garages.
- 6.84. Whilst such allowances may have been deemed reasonable in 2018, KM have not altered their assumptions to account for cost inflation. This further contributes to the heavy understatement of the standard build costs as set out in Section 5.

- 6.85. In addition, KM have adopted provisional high level assumptions in terms of housing mix for each typology which impacts on the assumed quantum of garages.
- 6.86. Where viability is assessed at the application stage, the garage costs will therefore need to be determined on a site-specific basis based on the quantum of each garage type for the specific proposed house type mix and up-to-date build costs at the point of the assessment.
- 6.87. It is also noted that in some instances, garages only improve the marketability of a property rather than creating any additional value, particularly in lower value areas where purchasing power is more constrained, hence the cost of provision can equal or exceed the value benefit. The overall viability impact can therefore be neutral or negative in certain instances.

7. LPEVA: August 2021 Update

- 7.1. Within this section of the report, we focus on the 2021 Update to the LPEVA and set out our comments on the updated assumptions other than the build costs which we have separately addressed in Section 5.

Market Housing Revenues

- 7.2. KM have uplifted the assumed market housing revenues in line with the recommended net sales prices put forward by GDS in their June 2021 representation on behalf of Taylor Wimpey. This results in a £10 psf increase in revenues for Zone 1 and a £20 psf increase in revenues for Zones 2 and 3.
- 7.3. To inform their updated assessment of revenues, KM have not refreshed the local market new build or second hand evidence but have instead referred to the Land Registry House Price Index ('HPI') for St Helens. KM contend that this information shows an increase in values of approximately 15% for new build and second hand housing in St Helens when compared to their 2018 LPEVA.
- 7.4. KM suggest that applying the indexation to their 2018 values would result in higher revenues particularly for Zones 2 and 3 but that they have elected to adopt a "cautious" approach and mirror the GDS recommendations.
- 7.5. KM's purported "conservative" approach to revenues (in line with recommended best practice for viability testing at the plan-making stage) is inconsistent with their approach to other appraisal inputs where they have allowed no headroom whatsoever, and in fact the build costs, abnormal costs and so on are regarded as understated, and substantially so in respect of the build costs.
- 7.6. That said, we would question whether the updated revenue assumptions are necessarily "cautious" as KM have implied. Firstly, KM's suggest that new build house price growth in St Helens between March 2018 and February 2021 is 15.04% based on the Land Registry data. This is incorrect. KM do not provide an extract of the data which they have relied on but the relevant Land Registry information which we have sourced for St Helens confirms new build price growth of 11.49% over this period as shown at Appendix 12.
- 7.7. We are aware that the Land Registry datasets are being revised each month, and quite heavily in certain instances, due to the extended time lag in completions being registered online. This is because of the substantial volume of sales during the COVID-19 pandemic combined with home-working challenges at the Land Registry which has created a backlog of sales still to be registered. This means that many of the datasets for each month are incomplete and new transactions are being added during the updates each month.
- 7.8. The latest available figures for February 2021 could therefore be revised as more transactions are registered by the Land Registry; indeed the sample size for February 2021 is only 9 new build sales at the time of our data collection in December 2021 which is very small and limits the reliability of the evidence. The preceding months also have limited new build sales volumes as shown at Appendix 12.
- 7.9. Further, whilst sales values have evidently moved on since 2018, we would recommend that any Land Registry indexation analysis and suggested levels of price growth between pre-pandemic and post-pandemic months/years are treated with some caution. This is because the house price indexation to 2021 may overstate price growth in comparison to actual up-to-date house prices "on the ground" due to the way in which the COVID-19 pandemic has impacted on housing demand and the Land Registry average pricing figures.

- 7.10. Based on our recent analysis of new build sales data in other locations where we have compared the Land Registry indexed price of earlier sales to the most recent achieved values on the same scheme, we have found that this approach can suggest that values have increased by a greater extent based on the Land Registry growth rates, and quite considerably greater in some instances, compared to what the developer is actually achieving at that scheme for the most recent achieved sales.
- 7.11. Part of the reason for this is because the Land Registry datasets are transaction based. They are weighted by transaction volumes rather than housing stock. The attached commentary from well-respected research consultancy BuiltPlace (Appendix 13) highlights the issues which this can create with the Land Registry indices in terms of overstating growth rates.
- 7.12. Essentially, as shown in Appendix 13 and widely documented over the past 18 months, as a result of the “race for space” and reassessment of housing needs, there has been a shift in the profile of housing sales towards larger semi-detached and detached properties with higher sales values. This would increase the overall average values recorded by the Land Registry each month (and therefore the HPI figure for that month), based on the sample of properties which sold in that month.
- 7.13. It follows that when comparing the average monthly values in 2021 to the average monthly values in previous pre-pandemic years, the comparison may not be “like for like” as the sample of stock underpinning the average values in the pre-pandemic years may contain fewer of the larger and higher value properties which have been selling most frequently since the pandemic.
- 7.14. For example, if the average property value in any given location is say £300,000 in February 2021 based on a sample of sales containing a greater quantum of larger higher value properties, the average property value in the same location 12 months earlier (pre-pandemic) might have been say £265,000 based on a sample containing a variety of apartments, terraced, semi-detached and detached properties across a range of sizes.
- 7.15. Simply comparing the average values for each month would suggest annual price growth of 13% but it is not necessarily the case that the values of similar property types and sizes (eg. 4 bed detached compared to 4 bed detached or 3 bed semi-detached compared to 3 bed semi-detached) have increased by this amount. Instead, the percentage increase could be distorted higher as the average house price may have been skewed higher due to larger properties accounting for a greater number of the transactions in the sample for that month.
- 7.16. This is summarised in Appendix 13. In our view, this suggests that the Land Registry data is not necessarily the most accurate or appropriate measure for assessing the extent of price growth between pre-pandemic and post-pandemic months/years. The Council and KM are requested to note this key principle particularly in any future site-specific FVAs where they may seek that the applicant refers back to / indexes the plan-wide assumptions.
- 7.17. Finally, we would reiterate GDS’ previous recommendations that 4 or 5 value zones would be more appropriate to better reflect the value profiles across St Helens based on the original market evidence which KM obtained.
- 7.18. If the current assumptions are maintained, it is much more likely that site-specific FVAs will be required due to the plan-wide inputs not sufficiently reflecting the realistically achievable values of sites within current ‘gap’ areas (notwithstanding the flawed approach to build costs and our concerns in respect of other assumptions which mean that site-specific FVAs are likely to be required in most instances in any case).

- 7.19. We would also note that irrespective of whether 3, 4 or 5 value areas are adopted, not every site in each value area will necessarily achieve the assumed revenues as there could be site-specific circumstances which mean that a different assumption is appropriate.
- 7.20. This principle has been clearly acknowledged as part of other Local Plan viability work which KM have been involved in where the Council / KM have specifically highlighted the “degree of variance” in house prices within individual value areas¹⁰.
- 7.21. If the achievable revenues for a particular site do not align with the LPEVA assumptions, this represents another reason as to why viability may need to be revisited at the application stage. We request that KM acknowledge this principle in their revised LPEVA and that such circumstances are reflected in the Local Plan policy drafting where relevant.

Affordable Housing Revenues

- 7.22. KM have not adjusted the assumed affordable housing transfer values despite Taylor Wimpey raising concerns over these assumptions in their earlier representations, nor have KM provided any evidence to support the Affordable Rented assumptions. KM provide only brief details of the transacted values for a small number of Shared Ownership ('SO') units at two Persimmon Homes sites to justify the SO values.
- 7.23. However, no actual evidence of the RP offers is provided to enable stakeholders to verify the accuracy of KM's calculations. It is also not clear as to whether the units at Vulcan Park were SO properties or discounted market sale. Clarification is requested.
- 7.24. All affordable housing transfer value assumptions should be based on up-to-date consultation with local RPs to sense-check the adopted revenues. It is therefore essential that KM consult with the relevant stakeholders particularly for the currently unevidenced Affordable Rented transfer values and provide evidence of their responses to demonstrate that the revenues are considered robust by local RPs.
- 7.25. We are not necessarily disagreeing with the Rented transfer values but request that KM demonstrate that local RPs are satisfied with the assumptions. In the absence of this evidence, the revenues cannot currently be supported.
- 7.26. In respect of the SO revenues, we request that KM provide full details of the evidence base on an open and transparent basis including the date of the RP offers referred to at the two Persimmon Homes' sites. This is particularly relevant in light of the recent national changes to the SO model which are expected to impair the viability of this tenure (see further comments below).
- 7.27. Notwithstanding the current lack of information, the average SO transfer value of 70% of OMV is regarded as excessive if assuming that the affordable housing units are delivered via S106 and therefore no grant funding would be obtainable. We disagree with KM's approach of simply averaging the values across a small sample of transactions (12 units) at two sites by the same developer.

¹⁰ See Q8.16 of Liverpool City Council's Matter 8 Hearing Statement for example: <http://www.hwa.uk.com/site/wp-content/uploads/2018/05/LCC-7.pdf>

- 7.28. In all our recent market experience including disposing of a substantial number of residential development sites for public and private sector clients and our widespread analysis of developer land bids with actual affordable housing offers from RPs, as well as our analysis of the assumptions adopted in other area-wide and site-specific FVAs, Red Book valuations and expert witness submissions, we rarely see RP offer evidence for SO units in North West authorities at 70% of OMV.
- 7.29. To substantiate our comments, below we refer to evidence submitted as part of recent representations to the neighbouring Halton Local Plan Examination in Public on behalf of Taylor Wimpey and Redrow Homes, where we were provided with a sample of RP offers received for affordable housing units at a number of sites in the nearby Cheshire West and Chester authority¹¹:

CWAC – Affordable Housing Offers Received from RPs

Affordable Housing Tenure	Site A	Site B	Site C	Site D	Site E	Average
Offers from Registered Providers as % of OMV						
Affordable Rented	38%	37%	47%	49%	53%	45%
Shared Ownership	56%	51%	66%	56%	61%	58%

- 7.30. Although relating to a different geographical area, this information could suggest that the LPEVA revenue assumptions for SO units are overstated. An average transfer value of 60% of OMV may be regarded as more appropriate based on this information.
- 7.31. By way of additional evidence, we highlight the transfer values assumed for affordable housing units in numerous other recent LPVAs prepared by KM across the North West as summarised below:

Affordable Housing Transfer Values – Other North West LPVAs

Local Plan / CIL Viability Assessment	Affordable Housing Revenue Assumptions (% of OMV)
Cheshire West LPVA (December 2017)	Intermediate – 60% Social Rent – Not Tested Affordable Rent – 45%
Liverpool LPVA (October 2018)	Intermediate – 65% Social Rent – Not Tested Affordable Rent – 45%
Fylde LPVA (February 2020)	Intermediate – 60% Social Rent – 40% Affordable Rent – Not Tested

- 7.32. This illustrates the inconsistencies in KM's assumptions and that the St Helens LPEVA revenues are set too high for SO units. This is a key inaccuracy which must be addressed in the revised testing. We would also note that we have recently agreed SO values of 65% of OMV with KM on a site-specific FVA in the neighbouring Knowsley authority.

¹¹ Sites have been anonymised for confidentiality reasons.

- 7.33. Importantly, however, we understand that all of the above evidence relates to RP offers received and/or FVAs prepared prior to the recent national changes to the SO model in April 2021. Under the new model, the repairs and maintenance liabilities have shifted from the tenant to the RP, the minimum initial equity stake has been lowered from 25% to 10% and individuals are able to staircase in 1% increments.
- 7.34. Several RPs active in the North West have confidentially advised us that, based on their initial internal modelling, the changes will impair viability and the transfer values which they are able to offer for SO units under S106 package deals. At this stage, we cannot disclose further details of this advice as it has been provided on a confidential basis.
- 7.35. The trend of impaired viability is however further evidenced in the recent news article by leading social housing publication *Inside Housing*, who report that government are to consider bids for higher grant funding rates to build new model SO units in acknowledgement of the greater viability burden imposed by the new requirements¹².
- 7.36. This evidence would therefore suggest that the average transfer value should be reduced as all new SO units in St Helens will be constructed under the new model. In this respect, rather than speculating on the level of reduction, we recommend that KM consult a full range of local RPs regarding their revised assumptions to test whether the assumed transfer values are considered acceptable under the new affordable housing regime. Full details of the engagement should be provided to enable stakeholders to assess the robustness of the evidence base and the resulting justification.

Abnormal Costs

- 7.37. At paragraph 3.5 of the 2021 Update, KM refer to the abnormal cost allowances assumed in their testing and confirm that no changes have been made to the 2018 assumptions. We have highlighted the issues associated with KM's nominal allowances in Section 6 of this report, which appear insufficient for all typologies.
- 7.38. The failure to include a reasonable abnormal cost allowance further overstates the viability of development and leads to false results in respect of the deliverability of the Council's policy requirements.
- 7.39. For this reason alone, policy flexibility and the ability to revisit viability at the application stage will be required as it is quite possible that the actual abnormal costs to deliver new residential development in St Helens will be greater than the token allowances adopted by KM.
- 7.40. However, it is strongly recommended that KM adopt more reasonable abnormal cost assumptions in the first instance, so as to at least try to limit the number of site-specific FVAs at the application stage.

Part L / Future Homes Standard

- 7.41. KM have included estimated costs relating to the forthcoming uplift to Part L of the building regulations which will be introduced in 2022 and will require a 31% reduction in CO₂ emissions. KM have made an allowance of £5,500 per plot based on the relevant government guidance and assuming a house type mix split 60/40 between semi-detached/terrace and detached houses.

¹² https://www.insidehousing.co.uk/home/home/government-to-consider-bids-for-higher-grant-rate-to-build-new-model-shared-ownership-72022?utm_source=dlvr.it&utm_medium=twitter

- 7.42. The estimated allowance is slightly above the costs recommended by GDS in Taylor Wimpey's previous representations and is regarded as a reasonable assumption for the purposes of the plan-wide testing.
- 7.43. We would however note that the costs could vary depending on each developer's individual standard house type specification and also if the actual on-site house type mix differs from the high level 60/40 assumption made by KM. In these instances, there could be a different impact on site viability. As such, flexibility in policy requirements is requisite for those sites where the actual cost burden is greater.
- 7.44. KM then go on to define costs to achieve "zero carbon by 2025". KM do not provide any definition of zero carbon or the standards to be achieved. Their commentary in this section refers to the Future Homes Standard ('FHS') which will be introduced from 2025 and will require a 75-80% reduction in CO₂ emissions.
- 7.45. For the purposes of this report, we have assumed that KM's "zero carbon" cost relates to the FHS however we reserve the right to comment again if this cost relates to a different standard. Full clarification is requested from KM.
- 7.46. To determine an approximate cost for this standard, KM refer to a study by Currie and Brown and AECOM (2018). KM determine a cost of £12,960 per plot based on the same housing mix assumptions as outlined above.
- 7.47. The estimated allowance is within the range of costs recommended by GDS in Taylor Wimpey's previous representations and is again regarded as a reasonable broad brush assumption for the purposes of the plan-wide testing, assuming that the cost relates to the FHS.
- 7.48. We would reiterate the comments above relating to developer specification and house type mix, whilst there is less certainty as to the extent of the government's requirements and the nature of the improvements needed to achieve the FHS given that less due diligence has been carried out on this element of the regulation changes. The cost assumptions may therefore need to be refined as more clarity and market evidence emerges.

Biodiversity Net Gain ('BNG')

- 7.49. KM have included a cost of £2,000 per unit for BNG costs which is based on the upper end of the range recommended by GDS in their earlier representation on behalf of Taylor Wimpey.
- 7.50. It is very difficult to comment on the appropriate allowance for BNG costs at the plan-making stage as the requirements will be entirely site-specific depending on the specific measures required to achieve the necessary improvements on each site. In some instances, this could involve off-site contributions / off-setting which can result in substantial costs.
- 7.51. The actual costs to achieve BNG could therefore be higher or lower than assumed in the testing. As such, it is vital that there is sufficient flexibility in the Local Plan policies to enable other policy requirements to be relaxed if the actual BNG costs are higher than initially assumed in the LPEVA, as it is quite possible that this will be the case on numerous sites.

Benchmark Land Value

- 7.52. The benchmark land value ('BLV') is a key component of any FVA. The PPGV (Paragraph 13) states that the BLV should be based on the 'Existing Use Value Plus' ('EUVP+') method and should reflect the 'minimum return' at which it is considered a reasonable landowner would be willing to sell their land, while allowing a sufficient contribution to fully comply with policy requirements.

- 7.53. It is therefore essential that a careful balance is struck between policy requirements and landowner expectations so as to ensure that the assumed BLV does not place land delivery at risk, and that landowners are appropriately incentivised to bring land forward for development.
- 7.54. GDS have previously suggested that the BLVs adopted by KM in the LPEVA were regarded as too low particularly for the greenfield sites in the medium and higher value areas. Within the 2021 Update, KM have maintained the same BLVs as adopted in 2018 despite increasing the sales values, although it is acknowledged that policy costs have increased with the introduction of new mandatory national requirements relating to Part L and BNG.
- 7.55. However, a key issue is that KM have not provided any updated land market evidence as part of the 2021 Update to sense-check the 2018 EUV/BLV assumptions and to identify whether the values remain reasonable in the context of current market activity. This represents a crucial omission in the evidence base and means that the adopted EUVs and BLVs are not underpinned by adequate up-to-date market evidence.
- 7.56. In particular, KM have derived the brownfield BLVs using an EUV based on industrial land values and by applying their opinion of the appropriate landowner premium to the assumed EUV. In the 2018 LPEVA (paragraph 5.15), KM state that:
- “Within St Helens we would expect current values for previously developed land in the settlements areas with extant planning consents for commercial development to be in the range of £247,000 per hectare (£100,000 per acre) to £495,000 per hectare (£200,000 per acre) and possibly less in some cases. This is evidenced by the commercial land transactions contained at Appendix 4”.*
- 7.57. It is widely recognised that the industrial sector has performed very strongly over the previous 2 – 3 years as the structural changes affecting the retail market and the growth of e-commerce continue to drive increased occupier demand in this sector. This increased demand supports industrial land value growth as can be seen by the trend of increasing industrial land values across the North West (and wider UK) over recent years.
- 7.58. It should not be left to stakeholders to address the evidential gaps in the 2021 Update when KM should have fully researched their assumptions in the first instance. Nevertheless, to assist KM in cross-checking the 2018 EUVs for industrial land, we have compiled recent land value evidence within the wider local market utilising CoStar, Rightmove and our agents’ industrial land transaction database.
- 7.59. This data is summarised in the table at Appendix 14 and shows an average achieved industrial land value of c. **£223,000 per acre** across the transactional evidence, with values generally ranging from c. £150,000 – £300,000 per acre for industrial land in the wider local market depending on factors including the market demand in the location and access to transport infrastructure.
- 7.60. The evidence which we have compiled is predominantly from 2018 – 2019 and therefore values may be higher as at 2021 when accounting for the recent strength in market activity. Based on the initial evidence which we have collated, it is our view that industrial land values have moved on since 2018 and higher EUVs may therefore be required, although we agree with KM that any brownfield land which comes forward for residential development is likely to be of lower quality where employment use would not represent the optimum use, and the assumed EUV would be reflective of this.

- 7.61. In light of the above, we request that KM provide full updated market evidence for industrial and residential land values in St Helens and neighbouring authorities as a matter of urgency. KM cannot state that they have adequately sense-checked the 2018 BLV assumptions against up-to-date market evidence as no such information is provided in the 2021 Update.
- 7.62. The market cross-checks are a crucial step in the BLV calculations in accordance with the PPGV to ensure that the BLVs are market-facing and align with landowners' expectations so as to not risk compromising the release of sites. KM referred to residential land sales in their 2018 LPEVA and it is not appropriate to disregard this information in the 2021 Update.
- 7.63. If there are no recent, policy compliant residential land sales in St Helens and/or neighbouring authorities, KM will need to demonstrate how they have adjusted and analysed the non policy compliant data to inform their stated BLVs as required by the PPGV.
- 7.64. For the above reasons, the assumed BLVs in the 2021 Update are insufficiently evidenced and cannot currently be supported. It is not regarded as sound for KM to put forward unsubstantiated assumptions in the 2021 Update and expect stakeholders to address evidential gaps which should have been fully researched and analysed by KM in the first instance.

Abnormal Costs and S106 Contributions

- 7.65. In formulating the BLVs, the PPGV is clear that the assumed land values should “reflect” the implications of the site-specific abnormal costs and a sufficient contribution to fully comply with policy requirements.
- 7.66. Within the LPEVA, KM have made nominal abnormal cost allowances for all typologies as demonstrated earlier in this report. Accordingly, we expect that the majority of sites which come forward in St Helens will have abnormal costs in excess of those assumed in the LPEVA. Furthermore, the S106 contributions of £1,000 per plot which have been applied to all sites appear understated particularly for the larger sites.
- 7.67. The BLVs have therefore been formulated based on insufficient and unreasonable cost allowances for these two key items. GDS have previously suggested that the BLVs should be increased to allow for the inevitable additional abnormal costs to be “reflected” in the land value, but still maintaining a sufficient BLV which incentivises the landowner to sell in accordance with the PPGV.
- 7.68. Within their response to GDS, KM claim that this approach is at odds with the PPGV which suggests that land values should be reduced rather than increased to reflect abnormal costs.
- 7.69. In our view, KM have misinterpreted GDS' comments and the guidance in the PPGV. For clarity, the PPGV (Paragraph 13) states that the BLV “*should reflect the minimum return at which it is considered a reasonable landowner would be willing to sell their land*”. The PPGV (Paragraph 13) goes on to confirm that the premium above the BLV should:
- “provide a reasonable incentive, in comparison with other options available, for the landowner to sell land for development while allowing a sufficient contribution to fully comply with policy requirements”.*
- 7.70. The PPGV (Paragraph 14) further requires the BLV to “reflect” the implications of abnormal costs and site-specific infrastructure costs. It is fully acknowledged that for those sites with higher abnormal costs and S106 contributions, the BLV would be reduced in comparison to a less impaired site, assuming that all other circumstances are identical (eg. similar revenues, policy requirements, house type mix etc).

- 7.71. KM's comments are ambiguous and appear to be implying that the inevitable additional abnormal costs (and/or S106 contributions) should be deducted from the BLV. In our view, the phrase "reflect" in the PPGV does not equate to "fully deduct". If the PPGV required abnormal costs to be fully deducted from the BLV on a pound-for-pound basis, the guidance would have stated this clearly.
- 7.72. To demonstrate this point, we refer to the recent case of Land off Holts Lane, Poulton-le-Fylde (reference: APP/U2370/W/19/3241233) dated 1st April 2020 whereby the Inspector concluded that the FVA prepared KM on behalf of the LPA was "*consistent with the guidance set out in the viability section of the Planning Practice Guidance*" (Paragraph 12).
- 7.73. The Holts Lane site comprised a parcel of greenfield land which was c. 10 acres in size. KM assessed the abnormal costs for the site at c. £453,000 per net acre and adopted a BLV of c. £152,000 per net acre, based on the assumed EUV and a 15 x multiplier of EUV. KM stated that the BLV of £250,000 per net acre in the Wyre LPVA hypothetically assumed a greenfield site free from abnormal costs (paragraph 4.19).
- 7.74. We do not agree with the approach of excluding abnormal costs from the LPVA as this will overstate the viability of development for the reasons previously explained. We also note the inconsistencies between KM's approach in Wyre and St Helens with respect to abnormal costs.
- 7.75. Notwithstanding this, the Holts Lane case illustrates that KM reduced the BLV by only c. **£100,000 per net acre** to reflect the extent of the site abnormal costs, despite the full abnormal cost impairment being c. **£453,000 per net acre**.
- 7.76. In this matter, KM inherently recognised that the full abnormal costs could not be deducted as the resultant land value would not provide sufficient incentive for the landowner to sell (indeed it would have been negative). The methodology adopted by KM in the appeal was endorsed by the Inspector yet KM may now be advocating a different position based on their response to GDS. Full clarification is requested.
- 7.77. Nevertheless, this case further illustrates the principle that where sites are subject to high site-specific abnormal costs, then it will be necessary to adjust the BLV to reflect the additional cost burden. In the Holts Lane case, KM reduced the premium to what could be considered the minimum acceptable uplift of 15 x EUV for a site with substantial abnormal development costs.
- 7.78. However, for **all** sites, there remains a minimum value below which a landowner will not be incentivised to release their site for development. If deducting the abnormal costs tips the BLV past the point of providing a sufficient incentive and leads to land values which mean landowners will not sell, then this conflicts with the PPGV.
- 7.79. If KM and/or the Council contend that any additional abnormal costs and/or S106 contributions above the nominal allowances in the LPEVA will be fully deducted from the BLV in a site-specific FVA, then the landowner premium and the "starting" BLVs must be set at higher, more realistic levels as recommended by GDS, to allow for additional costs to be deducted and for the resultant BLV to remain at a reasonable level which provides landowners with adequate incentive to sell.
- 7.80. This is crucial to ensure that there is a continued supply of land for development in St Helens, that new homes continue to be built and that the Local Plan and its objectives can accordingly be delivered.

Gross:Net Land Area

- 7.81. KM have applied the BLVs on a per net acre basis. We do not disagree with the approach however we would note that where a site generates a proportionally low net developable area in comparison to the gross area, it is regarded as appropriate to make an allowance for this inefficiency within the expectation of landowner's return to ensure that, on an overall basis, the landowner receives an appropriate premium in excess of the EUV in order to incentivise disposal of the whole site.
- 7.82. This will be a particularly relevant consideration for larger strategic sites which are likely to have a lower gross:net site area. KM do not account for any such circumstances within their headline BLV assumptions.

8. LPEVA: August 2021 Update – Results

- 8.1. KM present the results of their updated testing in Section 6 of their 2021 Update. Despite the increase in policy costs, KM conclude that:

“The updated viability testing generally demonstrates an improvement in viability since the LPEVA. All of the typologies tested in zones 2 and 3 including the allocations are viable based on cumulative plan policies”.

- 8.2. The updated findings are regarded as inaccurate, unreliable and carry no weight. We do not agree with KM’s conclusions that all typologies are viable based on the cumulative plan policies. The viability testing is not based on realistic assumptions for all key cost and value inputs which means that the LPEVA does not represent sound evidence upon which to base policy requirements.
- 8.3. In particular, the failure to increase the standard build costs from those adopted in 2018 means that site viability has been overstated in the updated testing for this reason alone. We summarise our key comments on the revised results under the sub-headings below.

Appraisal Summaries / Cash Flows

- 8.4. Despite requests from GDS, no appraisal summaries have been provided in the 2021 Update. We would expect, as a minimum, for the Argus Developer print outs for the site allocations to be provided for transparency purposes to enable stakeholders to verify that all cost and value inputs have been accurately adopted, and that the inputs have been appropriately cash flowed in the appraisals.
- 8.5. At present, there is no transparency of the assumptions and the distribution of costs and the timing of receipts are not known. These are crucial assumptions which, together with the assumed development period, impact on the finance cost and scheme viability, particularly for the larger sites where there is likely to be greater upfront infrastructure / enabling works costs.
- 8.6. As well as robust cash flow assumptions in terms of timing of income and expenditure, it is crucial that the development period for each typology is based on an accurate and realistic lead-in period having regard to the site size and the need for necessary upfront infrastructure and enabling works, followed by realistic build and sales periods based on an appropriate sales rate.
- 8.7. We therefore again request that KM disclose a copy of the appraisal summaries on a transparent basis for independent scrutiny, along with clear reasoning and justification for the adopted approach, to enable stakeholders to assess the robustness of the cash flow modelling and that the finance cost and resultant land value outputs have been accurately calculated. Transparency of viability evidence is a cornerstone of the NPPF, PPGV and RICS guidance.
- 8.8. As part of this information, the following should be clearly specified for each typology:
- Lead-in period;
 - Main construction period;
 - Total sales period; and
 - Timing of abnormal costs and S106 contributions.

- 8.9. Furthermore, we consider that the presentation of the surplus or deficit figures only as similarly lacking in transparency. The calculated residual land values, the assumed BLVs and the surplus and deficit figures should be provided for every typology in accordance with standard practice for plan-wide viability testing to enable cross-checking of the results.

'Base' Testing Results

- 8.10. KM first present what they refer to as the “base” testing results which represent the surplus figures including affordable housing only.
- 8.11. As previously highlighted by GDS, it is inappropriate and misleading to refer to the testing results excluding all relevant plan policies as the “base” results. This implies that other policy requirements are “optional” when all development will be expected to comply with these requirements where it is viable to do so.
- 8.12. Therefore, the actual “base” results are those which incorporate the base policy requirements to assess the cumulative policy burden, i.e. those presented from paragraph 6.10 onwards. We consider that the preceding “base” results should be disregarded as they do not demonstrate the viability of development in St Helens based on all relevant emerging plan policies.

Cumulative Policy Burden – Overstated Viability

- 8.13. Based on the cumulative policy requirements, KM's overarching conclusion is that site viability has improved and their results indeed show a substantial increase in the surplus figures for the majority of the typologies. This is regarded as extremely misleading given the introduction of new additional policy requirements and the understated nature of the build cost assumptions.
- 8.14. We have highlighted the clear disparities between KM's adopted build costs and current market realities earlier in this report, as well as the contradiction when compared to the build costs which KM have recently adopted in other site-specific FVAs in St Helens and neighbouring authorities.
- 8.15. The updated results are based on 2018 build costs which are out of date and significantly understate the actual costs required to deliver new build housing in St Helens. This is exacerbated by the other key issues associated with the LPEVA as referenced in the preceding sections of this report, including the understated abnormal cost allowances.
- 8.16. It follows that the Council should not proceed to base policy requirements on the results of the updated testing as we consider that KM have overstated the viability of development. The policy requirements including 30% affordable housing provision are not justified as KM have not robustly and transparently demonstrated that all such requirements are deliverable. At present, we have significant concerns as to whether the proposed obligations are viable for all new build sites across the district.
- 8.17. It is therefore strongly recommended that KM revisit their assumptions where necessary as suggested throughout this report, and for the Council's policy requirements to be reviewed based on robust and up-to-date plan-wide viability evidence to ensure that all requirements are actually deliverable.
- 8.18. In this respect, we would also note MM013 is suggesting that “*where a developer can demonstrate that meeting all policy requirements would not be viable [based on viability evidence], a pragmatic approach will be taken to S106 contributions on sites within Zone 1.*”

- 8.19. In light of the issues raised throughout this report, it is considered highly likely that the pragmatic approach to planning obligations would need to be engaged on the majority of sites rather than just those in Zone 1. The proposed modification is therefore regarded as unsound and we recommend that the pragmatic approach is extended to all Zones.
- 8.20. This should be the case even after the plan-wide viability assumptions have been amended as recommended throughout this report, to provide sufficient flexibility to account for site-specific circumstances where these differ from the LPEVA as the study cannot account for every eventuality, for example those sites where the abnormal / extra over costs are higher.

Sensitivity Testing

- 8.21. As the final aspect of their 2021 Update, KM undertake sensitivity testing on the “zero carbon” standard which we have assumed relates to the FHS (clarification is required as stated in Section 7).
- 8.22. Based on their analysis of forecast house price growth (using Savills research) and build cost inflation up to 2025 (using the BCIS All-In TPI), KM consider that expected price growth is “more than sufficient” to offset both build cost inflation by 2025 as well as the FHS costs.
- 8.23. We do not support these conclusions and consider that the sensitivity testing is flawed and misleading as KM are indexing their heavily understated build cost assumptions. If more realistic build costs were adopted in the testing, we suspect that the results would be different. It is therefore not considered prudent for KM to assert that increasing values will offset the additional costs when the wider standard build costs are significantly understated.
- 8.24. Further, the latest BCIS All-In TPI figure for Q2 2025 is now estimated at 408 rather than 384 as referred to in KM’s update, reflecting the impact of the recent sharp cost inflation filtering through into the BCIS indices. This would suggest build cost inflation of 25.15% by Q2 2025, compared to 17.79% as suggested by KM. Again, applying the latest measure of cost inflation would result in different outputs.
- 8.25. KM do not provide their residual land values but rather than surplus/deficit figures only hence it is not possible to calculate how much the results would change if adopting the latest All-In TPI figure. In any case, for the above reasons we consider that no weight can be attributed to the sensitivity testing.
- 8.26. Moreover, whilst the FHS will not be implemented for a number of years, the Council must recognise the fact that certain larger sites will be affected by the changes hence additional policy flexibility is required for these sites. If and when a site-specific FVA is submitted at the application stage for larger sites, such costs will need to be factored into the assessment.

9. Conclusions

- 9.1. To conclude, Taylor Wimpey has some significant concerns regarding the viability approach and key assumptions currently proposed in the LPEVA, particularly in the 2021 Update. By consequence, Taylor Wimpey remains concerned that the cumulative policy burden in the Local Plan has not been robustly tested or demonstrated as deliverable.
- 9.2. The NPPF and PPGV establish the importance of having an up-to-date assessment of viability at the plan-making stage so as to limit the need for viability testing at the application stage. This requirement is central to the government’s aspirations to “frontload” viability testing to the plan-making stage as far as possible (noting that site-specific FVAs cannot be fully eliminated no matter how robust the plan-wide viability evidence for the reasons previously stated).
- 9.3. The LPEVA falls short of this central requirement in multiple different respects as illustrated throughout this report, with numerous assumptions being insufficiently evidenced and/or not reflecting a realistic market-facing position for the purposes of assessing viability in St Helens at the plan-making stage.
- 9.4. In particular, KM have adopted a fundamentally flawed, unjustified and unsound approach in respect of the standard build costs which means that site viability has been overstated for all typologies. The LPEVA is not “up-to-date” as required by the NPPF / PPGV, as it is based on historic 2018 build costs which are understated for the purposes of the 2021 Update. For this reason alone, we consider that the updated results for all typologies are inaccurate, unreliable and carry no weight.
- 9.5. In addition, there are a range of other key issues associated with the LPEVA including the nominal abnormal cost allowances and the failure to properly evidenced other key assumptions. This contravenes the requirements of the NPPF, PPGV and RICS guidance.
- 9.6. At present, therefore, we consider that the LPEVA (as updated) is flawed as a whole and does not constitute robust or credible viability evidence upon which to base Local Plan policy requirements. The results for all typologies would be very different if more reasonable assumptions were adopted for the standard build costs, abnormal costs, all relevant policy costs and the BLVs. The current flaws mean that the starting position for delivering sites is that they will not be viable which will cause delays to the delivery of much needed new homes.
- 9.7. We therefore strongly recommend that KM and the Council revisit their proposed approach and assumptions, and give due consideration to the issues raised in this report. It is considered that significant amendments are required for the viability evidence to be found sound. To be clear, the issues identified in this report and the flaws in the LPEVA affect the deliverability of all sites in St Helens and it is imperative that the necessary revisions are made.
- 9.8. Furthermore, irrespective of the revised viability findings, it is still regarded as essential that there is sufficient flexibility in the relevant policies to enable viability to be reassessed at the application stage where necessary and for policy requirements to be relaxed where robustly justified on viability grounds.
- 9.9. As alluded to throughout this report, it is not possible for a plan-wide FVA to account for every eventuality or the changing circumstances over the plan period. This means that it will be necessary for site viability to continue to be assessed at the application stage to account for site-specific circumstances where these differ from the LPEVA.

- 9.10. The above circumstances do not however preclude or downplay the importance of having a robust LPEVA with fully evidenced and market-facing assumptions in plan-making, so as to limit the extent of site-specific viability testing at the application stage and the associated delays in delivering new housing in St Helens.
- 9.11. We trust that this report is clear and comprehensive, and we would be happy to respond to any queries raised by KM and/or the Council as necessary. Taylor Wimpey respectfully requests to be kept informed as to the progress of the revised LPEVA and reserves the right to comment again on the evidence base at the relevant time.

10. Disclaimer

- 10.1. We have prepared this report having regard to relevant RICS guidance. However, the report and the advice provided do not constitute a formal valuation and should not be relied upon as such.
- 10.2. This report is for the purpose of the Client and should not be reproduced in part or in full without our prior consent. No responsibility is accepted to any other party in respect of the whole or any part of its contents.
- 10.3. Some of the data referenced in this report has been obtained from third party sources and we cannot guarantee the accuracy of the data obtained from other parties. Cushman & Wakefield shall not be liable for any indirect or consequential damages arising from the use of this report.
- 10.4. This report should not be relied upon as a basis for entering into transactions without seeking specific, qualified, professional advice. Whilst facts have been rigorously checked, Cushman & Wakefield can take no responsibility for any damage or loss suffered as a result of any inadvertent inaccuracy within this report.

Appendix 1: RICS Professional Statement: Financial Viability in Planning – Mandatory Reporting Requirements

The relevant mandatory reporting requirements specified in the RICS Professional Statement *Financial Viability in Planning: Conduct and Reporting* (1st edition) are set out below.

Section 2.1: Objectivity, Impartiality and Reasonableness Statement

We confirm that this report has been prepared by RICS members who have acted with objectivity, impartially, without interference and with reference to all appropriate available sources of information.

We further confirm that the RICS members are suitably qualified practitioners and RICS Registered Valuers with sufficient skills, expertise and knowledge to prepare a robust and objective report.

The RICS members have extensive experience in advising on FVAs across the North West and up-to-date knowledge of the planning system gained through previous viability experience and work alongside our local and national Planning Teams.

Section 2.2: Confirmation of Instructions and Absence of Conflicts of Interest

Our terms of engagement are appended to the rear of this report.

We have previously advised the Client on site-specific FVAs in support of planning applications for residential development. We have also previously advised the Client in respect of representations to area-wide viability FVAs.

However, we do not consider that any conflict of interest, or risk of conflict of interest, arises as a result of the interests which we have disclosed. We therefore confirm that, to the best of our knowledge, no conflict of interest, or risk of conflict of interest, arises in preparing the advice requested.

Section 2.3: No Contingent Fee Statement

In preparing this report, no performance-related or contingent fees have been agreed.

Section 2.5: Confirmation Where the RICS Member is Acting on Area-Wide and Scheme-Specific FVAs

As outlined above, we have previously advised the Client on site-specific FVAs in support of planning applications for residential development and representations to area-wide FVAs.

We are advising the following LPAs in respect of the area-wide FVA to assist in formulating policy in their emerging Local Plans:

- Warrington Borough Council
- Wakefield Council
- South Tyneside Council
- Solihull Metropolitan Borough Council

We are also advising developers in respect of representations to the following area-wide FVAs:

- Halton Local Plan Viability Assessment
- Greater Manchester Spatial Framework Viability Assessment

- Salford Local Plan Viability Assessment
- Eden Local Plan Viability Assessment
- Blackburn Local Plan Viability Assessment
- Lancaster Local Plan Viability Assessment
- Hyndburn Local Plan Viability Assessment

Again, however, we do not consider that any conflict of interest, or risk of conflict of interest, arises as a result of the interests which we have disclosed.

Section 2.6: Justification of Evidence

All inputs into this report have been reasonably justified as explained in further detail throughout this document.

Section 2.10: Engagement

We confirm that we have advocated, and will advocate reasonable, transparent and appropriate engagement between the parties at all stages of the viability process.

Section 2.14: Timescales

We confirm that adequate time has been allowed to produce this report having regard to the scale of this particular project.

Section 4: Duty of Care and Due Diligence

We confirm that this report has been carried out in accordance with Section 4 – Duty of Care and Due Diligence of the Professional Statement and that full consideration has been given to the matters referenced in Section 4.

Appendix 2: Lichfields Insight (August 2021) – Fine Margins: Viability Assessments in Planning and Plan-Making

INSIGHT
AUGUST 2021

Fine Margins

Viability assessments
in planning and plan-making



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Executive summary

The financial viability of development is taking on an increasingly important role in the planning and plan-making process. In this Insight, we have sought to provide a comprehensive overview of the way in which viability assessments are conducted and for the purposes of area-wide viability studies to inform local plan preparation.

Changes within recent years to national planning policy and related practice guidance present some potentially significant challenges for developers and plan-makers to overcome. Principally, these changes relate to the 'frontloading' of viability assessments to the plan-making stage and the implications of a widespread usage of an approach to defining land value with referencing to its Existing Use Value (EUUV) plus a premium. The importance of these changes cannot be overstated: recent evidence suggests that the soundness of local plans is increasingly being fought on a viability battleground.

We hope that this Insight – drawing upon several years' worth of evidence from local plan and Community Infrastructure Levy (CIL) viability studies from across England and Wales – will be useful to a wide range of users. Potential users might include those wanting:

1. To gain an overview of the concepts, inputs and outputs that underpin viability assessment in a housing development context;
2. To understand in greater detail the links between viability assessment and planning; and
3. To scrutinise local plan (or CIL) viability evidence (or underpin independent evidence) with reference to a robust national dataset.

To this end, it is Lichfields' intention that this Insight helps to bring greater clarity to an area of practice in which there are frequent misunderstandings and to allow more meaningful debate on this important issue.

Key finding(s)	Lichfields' perspective
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Factors with a common methodology

Build costs	<ul style="list-style-type: none"> Building Costs Information Service (BCIS) widely used 	<ul style="list-style-type: none"> Transparent and easy to apply in area-wide viability assessment Best approach in the absence of any more robust, standardised alternative (but be wary of additional costs which may not be factored in)
Sales values	<ul style="list-style-type: none"> HM Land Registry price data cross-checked against EPC Register 	<ul style="list-style-type: none"> Reliant on new build sales evidence (for which there is often a lag) and risk of values rapidly becoming out of date Straightforward and consistent method to apply in area-wide viability assessment

Factors with a narrow range

Developer profit	<ul style="list-style-type: none"> 20% GDV (market housing) 6% GDV (affordable housing) 	<ul style="list-style-type: none"> Flexibility should be built in, to account for varying risk profiles across site typologies
Externals	<ul style="list-style-type: none"> 10 - 20% of build costs 	<ul style="list-style-type: none"> Application of a range necessary to reflect different site typologies
Contingency	<ul style="list-style-type: none"> 2.5 - 5% of build costs 	<ul style="list-style-type: none"> Site typologies and their risk profiles should dictate the use of a flat rate or tiered approach
Professional fees	<ul style="list-style-type: none"> 8 - 10% of build costs 	<ul style="list-style-type: none"> Discretion should be used to apply an allowance that reflects specific site circumstances
Development finance	<ul style="list-style-type: none"> 6 - 7% debt interest rate 	<ul style="list-style-type: none"> Should reflect prevailing economic conditions with reference to LIBOR (or its successor)
Sales and marketing	<ul style="list-style-type: none"> 2.5 - 3.5% GDV Legal fees in addition (c.£750/unit) 	<ul style="list-style-type: none"> Differentiated rates may be appropriate
Land acquisition	<ul style="list-style-type: none"> 1.5 - 2.25% of land purchase price (with SDLT on top of this) 	<ul style="list-style-type: none"> Combined percentage to cover agent and legal fees

Factors with greater variation

Abnormals	<ul style="list-style-type: none"> Common not to apply an allowance Brownfield only approach common 	<ul style="list-style-type: none"> if included, clear justification should be provided, with clear differentiation from other cost allowances Critical to assess within the context of land value (see Benchmark Land Value)
Opening up costs	<ul style="list-style-type: none"> Common not to apply an allowance 	<ul style="list-style-type: none"> Lack of understanding of what these constitute and how they relate to other cost allowances Clarity of approach required and detailed breakdown of other costs
Viability buffer	<ul style="list-style-type: none"> Not commonly applied More common for CIL than for development plans 	<ul style="list-style-type: none"> 'Frontloading' directive puts increased emphasis on a need for buffers in both development plan and CIL viability testing Where not applied, give consideration to if buffers have been applied to other assumptions to avoid planning to the margins of viability

Land Value

Approach	<ul style="list-style-type: none"> EUV plus a premium ('EUV+') to reflect a 'sufficient' landowner incentive 	<ul style="list-style-type: none"> Pre-Parkhurst Road judgment, EUV+ was widely embedded within the industry NPPF/PPG changes in 2019 are a response to this
Premium	<ul style="list-style-type: none"> Typical indicative ranges include: Brownfield: EUV+ 20% Greenfield: 15-20 times EUV 	<ul style="list-style-type: none"> A 'standard' level of premium does not exist Landowner premium ought to be adjusted (downwards) to reflect specific infrastructure and abnormal costs and other site fees

O1

Why is viability important?

Viability is a critical but often misunderstood concept, and one that is central to the deliverability of housing sites and the successful implementation of local plan strategies. If developments are not viable, they may not come forward and local plans could fail to deliver in terms of meeting their identified housing requirements, creating new jobs, providing community facilities, and delivering regeneration objectives.

At its most basic level, viability relates to the relative balance between the value generated by development (GDV) and the total costs associated with the delivery of that development. Figure 1 indicates the revenue and cost considerations that a typical viability assessment should take into account.

Having a scheme that functions from a financial perspective provides a sound basis for a development scheme to come forward. If the GDV is equal to or greater than the total costs, then the scheme is viable and can go ahead. If not, then the deliverability of that development may be compromised unless additional funding can be achieved or costs can be reduced. To this end, whilst strategic plans set out policy requirements in respect of affordable housing provision and other development contributions, these have often been subject to negotiation at application stage. Taking a reduced profit could also help to boost the viability of a scheme, although this may not be possible due to the need for the developer to balance risk and reward. A reduction in landowner return can be another mechanism to make a scheme viable, although this also needs to be balanced against the requirement for a sufficient financial incentive to release land for development.



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Figure I: Viability assessment components

Gross development value / revenue
Construction costs (including an allowance for opening-up, externals and abnormal costs)
Contingencies
Professional fees
The cost of finance
Legal and marketing fees associated with the sale of individual dwellings
Developer profit
Policy requirements (Section 106 and CIL)
The cost of acquiring the site (taking account of the need to provide a competitive return to the landowner, plus legal and agents fees and Stamp Duty Land Tax).

Source: Lichfields analysis

Front-loading viability

To ensure deliverability it is vitally important that local plans and CIL charging schedules are drawn up with a comprehensive understanding of viability. These documents should be based on sound evidence so that development (whether to be delivered on allocated or non-allocated sites) can proceed in such a way that will satisfy the landowner and developer whilst also meeting the relevant policy obligations such as affordable housing, financial contributions, environmental standards and design requirements (see Figure 2).

Planning policy in England and Wales now seeks to “front-load” all consideration of development viability so that it is given a much greater emphasis at strategic plan preparation stage. The assumption that flows from this is that developments that accord with the strategic plan will be viable. It will be for an applicant to demonstrate why the viability of their development is compromised because of a change in circumstances since the plan was prepared and adopted.

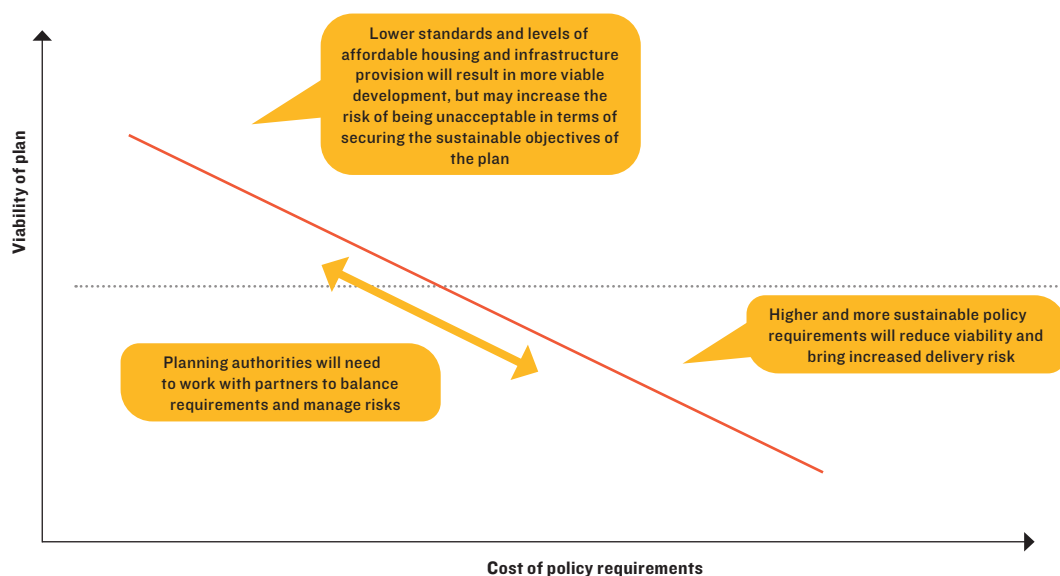
However, local plans provide a long-term framework for development and it is essential

that they are sufficiently flexible to account for changing circumstances, such as rising costs and potential changes in development values over the next 10-15 years. Although some situations – for example, the current Covid-19 pandemic – could not reasonably be anticipated by policymakers, the cyclical nature of the economy brings the need for flexibility into sharp focus. The significance of viability increases at times of economic downturn and this might result in the need for local authorities to be adaptable in their application of planning obligations and policy requirements so that development might continue to come forward in the right places throughout the planperiod.

The implication of the new approach to viability is to underline the importance of full engagement in the plan preparation process by those seeking to promote land for development. Attention should be focused on:

1. Demonstration that its site is deliverable from a financial viability and technical perspective;
2. Scrutiny of proposed allocations that are not considered to be viable or deliverable;

Figure 2: Balancing delivery risk and sustainable plan policies



Source: Adapted from the Harman Review (2012) Viability Testing in Local Plans - Advice for planning practitioners

3. Ensuring the council's viability assessment takes account of an appropriate range of development typologies and that these are reflective of the local area;
4. Providing robust inputs to the council's viability assessment in respect of costs and development values so that it can inform reasonable policy choices;
5. Ensuring that the viability assessment considers all relevant matters – for example, the viability implications of design standards and environmental requirements – rather than focusing solely on Section 106 and CIL requirements;
6. Ensuring that a balance is struck between the need to satisfy requirements for affordable housing or infrastructure funded by CIL, and the importance of ensuring that the wider deliverability of development is not undermined; and,
7. Setting reasonable expectations in terms of land value for landowners and site promoters.

Is there such a thing as a standardised approach?

The NPPF and PPG both advocate the use of standardised inputs to viability assessments. This was considered by Dove J in *R (Holborn Studios) v London Borough of Hackney* (2020), which revolved around the issue of disclosure of viability assessments. Paragraph 63 of the judgment notes that the PPG “makes clear the preparation of a viability assessment ‘is not usually specific to that developer and thereby need not contain commercially sensitive data.’”

The standardisation of viability assessments is important in addressing concerns about commercial confidentiality and testing the robustness of assessments put forward by local authorities as part of their strategic plan making process and by developers at application stage. However, neither the NPPF nor the PPG provides much by way of guidance on inputs that should be applied. The PPG merely states that key elements are gross development value, costs, land value, landowner premium and developer return.

In Wales, the Development Plan Manual identifies the viability components that need to be addressed and expressed in the plan's



The preparation of a viability assessment is not usually specific to that developer and thereby need not contain commercially sensitive data.

Holborn Studios v London Borough of Hackney (2020)



evidence base. It then goes on to set out core modelling considerations which should be taken into account when progressing high level viability testing. The level of detail varies between the various components identified. The most specific level of guidance is provided in relation to developer profit. The Development Plan Manual states at page 145:

“The model will need to include an average profit margin to ensure a realistic developer profit is embedded within the model. The normal range of profit expected by developers and necessary to meet most lenders’ requirements is between 15% and 20% of Gross Development Value (GDV) for developments that will be let or sold on the open market. A lower profit margin, based on 6% of cost, is normally applied to the provision of affordable housing. It is important to understand the types of developers operating in an area and how land is brought forward. In rural areas smaller developers work on a different model to large, volume house builders. Larger sites can carry more risk where they take a long time to build out and an increased profit margin may be required, whereas smaller sites being developed quickly may not. Developer profit margin is also linked to interest rates charged for finance.”

In the absence of any clear guidance regarding

all aspects of the standard inputs in England and Wales, this Insight is intended to provide some clarity on the issue. It is based on a review of 93 local plan and CIL viability assessments and Inspector’s reports and seeks to:

1. Fill a void in the understanding of the various assumptions and inputs;
2. Identify common themes and approaches in relation to key viability metrics;
3. Prevent continued disagreement in respect of matters for which there is broad alignment and/or to understand why differences arose;
4. Inform scrutiny of local plan viability evidence; and,
5. Underpin independent evidence.

02

Policy overview

Both the English and Welsh planning systems through the National Planning Policy Framework ('NPPF') (and Planning Policy Guidance) in England and Planning Policy Wales (and the Development Plans Manual) in Wales have in recent years moved towards a policy of requiring viability assessments for sites at an early stage of the development plan making process.

In England, the Planning Practice Guidance ('PPG') (Paragraph 002 Ref ID: 10-002-20190509) states:

"The role for viability assessment is primarily at the plan making stage....It is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are policy compliant."

Similarly, in Wales, planning guidance ('PPW') (paragraph 4.2.19) explains that:

"At the 'Candidate Site' stage of development plan preparation land owners/developers must carry out an initial site viability assessment and provide evidence to demonstrate the financial deliverability of their sites."

The rationale behind this approach is to ensure that all sites that are allocated in development plans are deliverable within the timescales of the plan. For a site to be deliverable it clearly needs to stack up from a financial perspective as well as being free from any unresolvable technical constraints.

Typology Approach

In considering potential allocation sites, local planning authorities need to balance the importance of satisfying the requirements of national policy against the proportionality of testing every site and the reality that some information may not be available at plan-making stage. Therefore, guidance explains that it is appropriate for local planning authorities to use a typology-based approach to understand the viability of local plans and to indicate the likely level of planning obligations that sites can accommodate. The PPG states:

"Assessing the viability of plans does not require individual testing of every site or assurance that individual sites are viable. Plan makers can use site typologies to determine viability at the plan making stage. Assessment of samples of sites may be helpful to support evidence. In some circumstances more detailed assessment may be necessary for particular areas or key sites on which the delivery of the plan relies." (Reference ID 10-003-20180724)

Similarly, the Development Plans Manual ('DPM') in Wales explains that site specific viability appraisals should be undertaken for those sites which are key to delivering the plan. For other sites, high level testing based on typologies should be undertaken. A hybrid approach of testing notional sites via a typology approach alongside a more bespoke assessment for strategic sites is therefore advocated by planning policy in both England and Wales.

A typology approach seeks to ensure that the policies are realistic and deliverable based on the type of sites that are likely to come forward for development over the plan period. Sites are grouped by shared characteristics such as location, status (brownfield/greenfield), size and nature. Average costs and values are used to make assumptions about the viability of each typology and plan makers can come to a view on what might be an appropriate benchmark land value and policy requirement for each typology.

Having established broad typologies, the PPG then goes on to state that plan makers should:

"engage with landowners, site promoters and developers and compare data from existing case study sites to help ensure assumptions of costs and values are realistic and broadly accurate." (Reference ID 10-004-20190509).

The DPM in Wales similarly emphasises the good practice of involving key stakeholders in the early stages of plan making to ensure broad consensus on key viability inputs. It suggests the formation of a Viability Steering Group to facilitate this process as well as the use of Statements of Common Ground to establish areas of consensus and narrow down areas of disagreement.

This process of constructive engagement is crucial in ensuring the reasonableness and accuracy of the inputs to viability assessments. Even if a developer is not promoting a site for allocation in an emerging development plan, engagement in respect of development viability is still very important. This is because any non-allocated sites for which planning permission might be sought during the lifetime of a development plan will be assessed against the various typologies that are established at plan preparation stage. As detailed below, the bar has been raised in terms of the basis for deviation from such policies at planning application stage – for both allocated and non-allocated sites.

The implication for developers is therefore to work with local planning authorities to ensure that the assumptions that inform their site typologies and the viability assessments that inform their emerging development plans are robust and reasonable. A failure at this stage could be fatal for the future deliverability of a site.

Revisiting viability at application stage

The PPG explains (Reference ID: 10-006-20190509) that it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. It identifies the following circumstances in which it might be appropriate to revisit viability considerations at the planning application stage:

1. Development is proposed on unallocated sites of a wholly different type to those used in the viability assessment that informed the plan;
2. Further information on infrastructure or site costs is required;
3. Particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); or,
4. A recession or similar significant economic changes have occurred since the plan was brought into force.

Where a viability assessment is submitted to accompany a planning application, the PPG states that this should be based upon and refer back to the viability assessment that informed the plan, and that the applicant should provide evidence of what has changed since then. Critically, the weight to be given to the viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including:

1. Whether the plan and viability evidence underpinning the plan is up to date;
2. Site circumstances including any changes since the plan was brought into force; and,
3. Transparency of assumptions behind evidence submitted as part of the viability assessment.

Planning Policy Wales (paragraph 4.2.21) sets out a similar approach and states that it is either for the applicant or the planning authority to demonstrate that particular **exceptional** circumstances exist to justify a viability assessment at application stage. The weight to be given to a viability assessment is again a matter for the decision-maker, having regard to the specific circumstances of the case, including whether the development plan and the viability evidence underpinning it are up to date, and any change in circumstances since the plan was adopted.

As set out above, the expectation is that there will be a much greater level of discussion regarding the need for a reconsideration of viability matters at planning application stage during times of economic stagnation and decline. Local planning authorities should be alive to that reality and should seek to support the industry in bringing forward beneficial development. However, the fact that circumstances can change significantly over time will also have the potential to necessitate a review of viability evidence. This underlines the importance of flexibility – at both policy preparation and implementation stages – and ensuring that development plans are kept up to date.

03 Research and methodology

Lichfields has reviewed 93 Local Plan and Community Infrastructure Levy ('CIL') viability assessments and Inspector's Reports from across England and Wales to ascertain what assumptions have been made and deemed appropriate by the Inspector in relation to viability. The research, which gains a firm grasp of what is considered a reasonable assumption and why in some cases a more bespoke approach is required, has been undertaken to provide robust evidence for all involved in the preparation and review of plan-wide viability assessments – whether local planning authorities, developers and landowners. It is also designed to inform application-specific viability assessments.

Methodology

Our methodology is based on a thorough review of the viability assessment prepared to underpin a local plan or a CIL charging schedule as well as any comments that the Inspector may have made in relation to viability matters in their report. The evidence base that we tested comprises a wide geographical spread across England and Wales (see Figure 3).

We identified the approach taken in each viability assessment in respect of key assumptions. Comparisons were made between the assessments in order to identify any trends and understand the variations that emerged.

The key metrics that we considered include:

1. Site typologies;
2. Build costs;
3. Externals;
4. Contingencies;
5. Abnormal costs;
6. Opening-up costs;
7. Sales values;
8. Developer profit;
9. Professional fees;
10. Development finance;
11. Sales and marketing costs;
12. Land acquisition fees;
13. Land value; and,
14. Viability buffer.

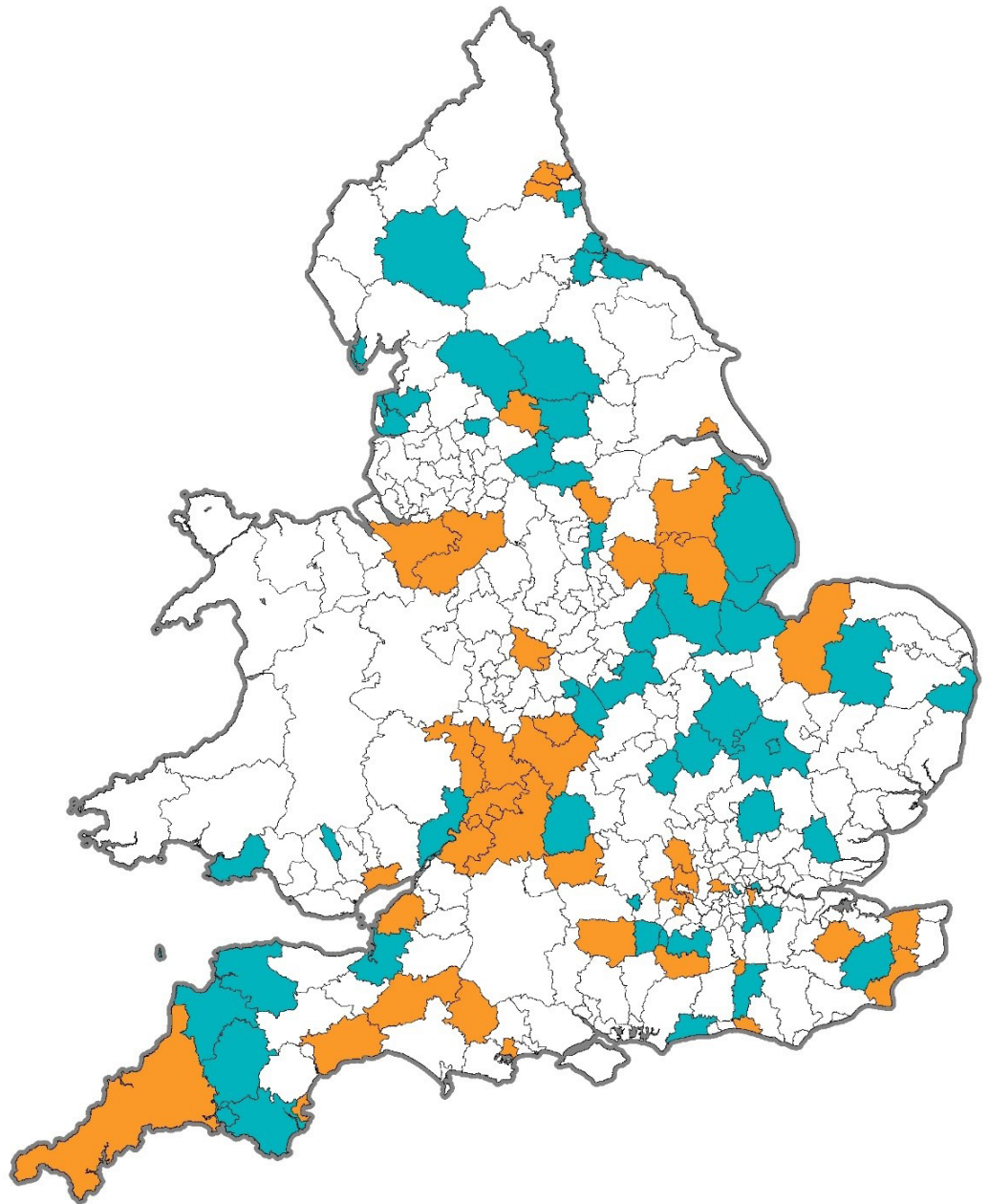
The research has not sought to assess policy factors, such as Section 106 and affordable housing requirements, CIL charging rates, environmental standards, or enhanced build/design standards. This is because these are the outputs of an iterative testing process in terms of what can be supported by development and will depend on market factors and policy choices. The focus instead is the process of viability testing, and particularly the input factors that go into that process.

The evidence base that we have reviewed is dated between January 2016 and March 2020 for CIL charging schedules and between January 2018 and March 2020 for development plans. This includes all plans and charging schedules adopted prior to the Covid-19 pandemic.

We are aware that all of these plans (in England) would have been prepared in accordance with the original (2012) version of the NPPF rather than the revised version. However, we consider that this purely a factor of timings and we will need to wait several years to get a similar sample of revised NPPF examined plans. Although the revised NPPF introduced an important change in the way that viability is dealt with in the planning system, the general approach to viability testing remains largely the same (save for the policy approach to Benchmark Land Value). As set out below, whilst the policy has now been crystallised in terms of EUV+, the evidence that we have looked at demonstrates that the approach is not new.

Figure 3: Geographical spread of viability assessment evidence

- CIL adopted (January 2016-March 2020)
- Local Plan adopted (January 2018-March 2020)



Source: Lichfields analysis

04 Viability modelling inputs

Viability appraisals can be undertaken in a variety of ways, with varying degrees of complexity and using different software packages. Common to all approaches, however, is a general modelling framework that considers all the factors that contribute towards the value and cost of delivering a development. It is typical in viability appraisal that a 'residual valuation' approach is used. This approach essentially works on the premise that the costs of a proposed scheme (including developer profit) are netted off against the scheme's total value, with the value remaining – the 'residual' – representing the value of the land. If the land value is too low (or indeed negative) then the scheme is theoretically unviable. This is demonstrated in Figure 4 in which three scenarios that differ in terms of gross development cost are compared to a constant gross development value.

Scenario C is shown to be unviable since the gross costs exceed the gross development value and therefore no residual value remains. Scenarios A and B both yield a residual land value, however, in B it is smaller than in A. The assessment of viability in both instances is determined through comparison of the residual land value (RLV) to an appropriate benchmark

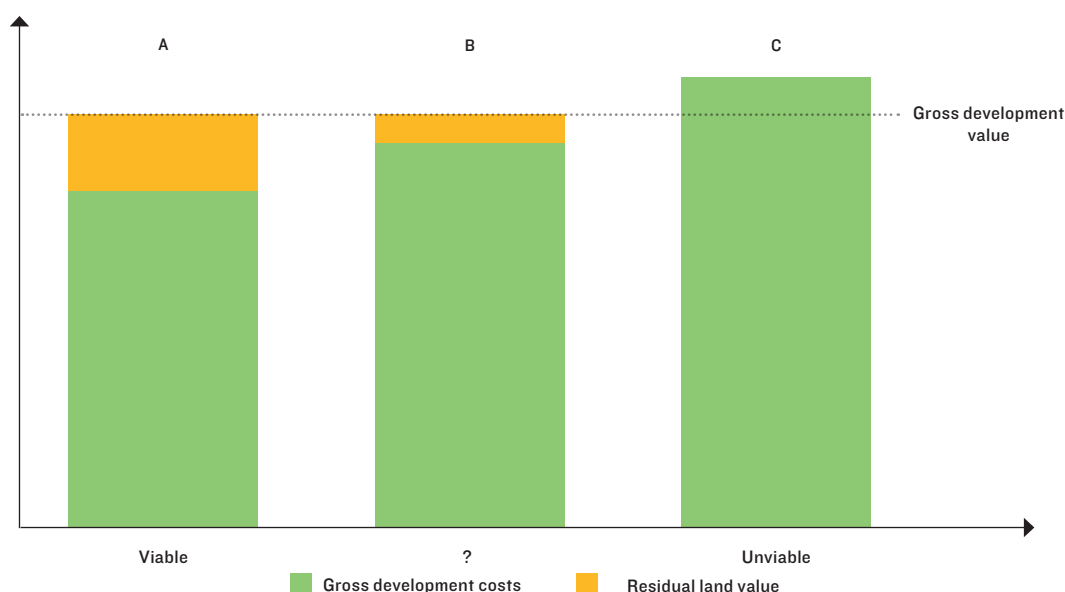
land value (BLV). In the case of Scenario A, it is more likely that this higher RLV will result in a viable scheme whereas the lower residual in Scenario B increases the risk that the scheme would be unviable. The BLV is a concept that our analysis explores in Section 6.

In essence, Figure 4 condenses a viability appraisal down to three key questions:

1. How should Gross Development Value (GDV) be determined?
2. What development costs should be accounted for?
3. How should an appropriate Benchmark Land Value (BLV) be defined?

Naturally, this simplified approach masks its complexity. There is firstly a requirement to consider a large number of inputs, all of which can be subject to high variability in any given place and time. Secondly, because of this variability, viability appraisals can often be highly sensitive to change, with small changes in inputs resulting in very different outcomes. As such, sound viability appraisal practice rests heavily on the careful consideration of its inputs but also on undertaking sensitivity analysis to ensure that the impact of anomalies/variability is minimised.

Figure 4: Simplified residual valuation method of viability appraisal



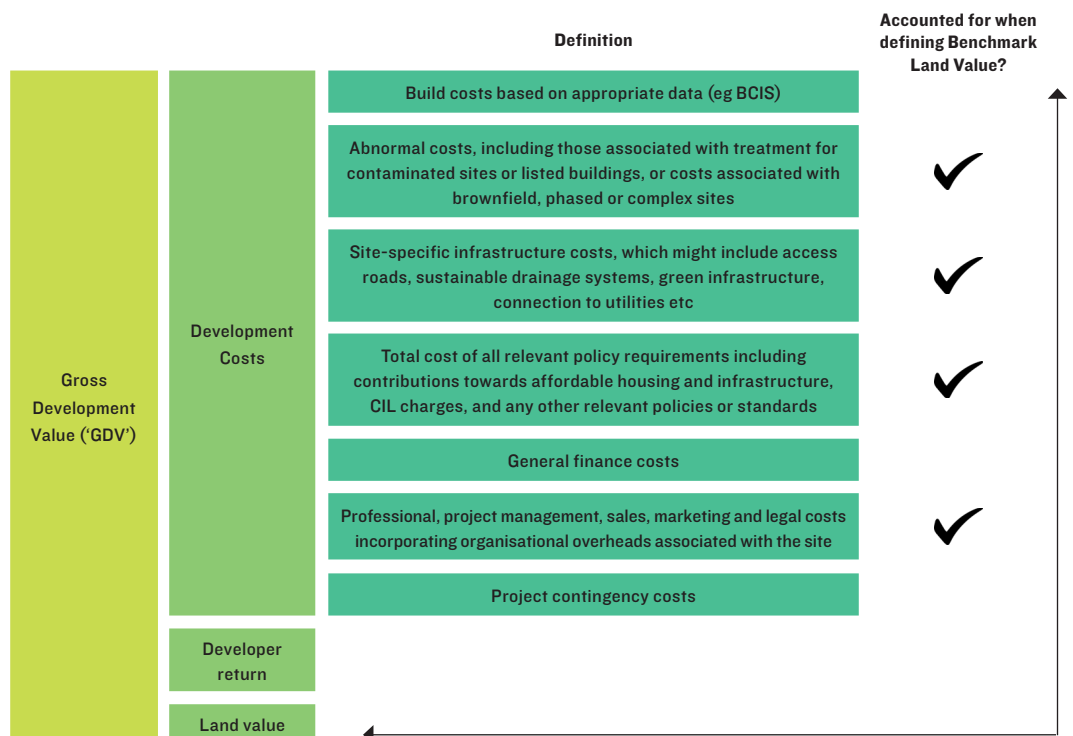
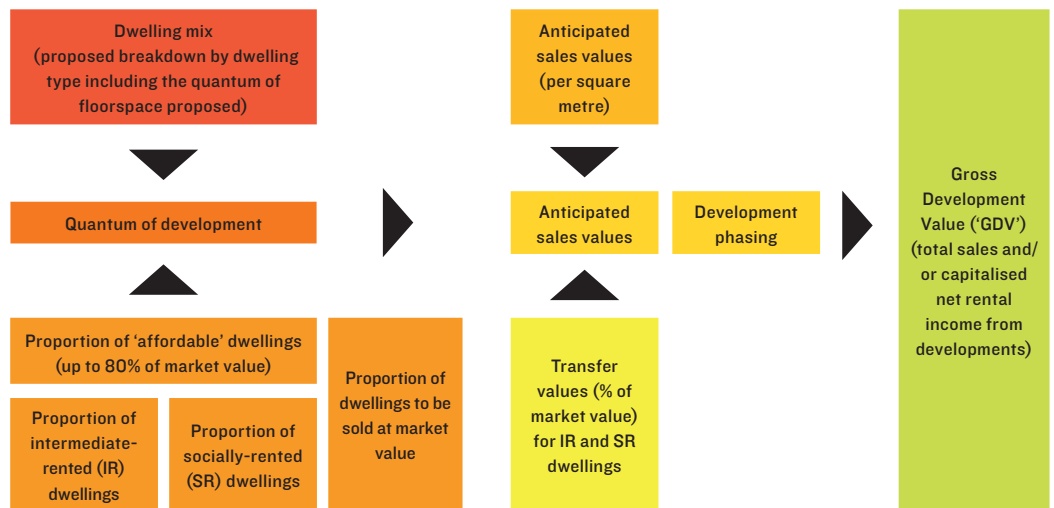
Source: Lichfields analysis

The PPG in England and DPM in Wales set out some of the inputs that viability appraisals should consider, albeit as guidance this is not comprehensive. Based upon our understanding of the inputs, the flow diagram (Figure 5) illustrates these and the interrelationships between them in an idealised viability appraisal. As our research has focused around viability

within a residential development context, the flow diagram refers mainly to values/cost inputs that are relevant to residential development rather than commercial development.

Our analysis now focuses on the constituent elements of this flow diagram to explore themes, patterns and commonalities of approach.

Figure 5: A typical viability assessment for a residential scheme



Source: Lichfields analysis, Planning Policy Guidance (England) and Development Plans Manual (Wales).

The typology approach

Definition

Grouping together of sites based on their shared characteristics such as size (either by area or by dwelling numbers), existing use (e.g. brownfield/greenfield) and site context (rural/urban/suburban).

The PPG describes the typology approach to viability as :

“a process plan makers can follow to ensure that they are creating realistic, deliverable policies based on the type of sites that are likely to come forward for development over the plan period.” (Reference ID 10-004-20190509)

Acknowledging that specific site information may not be available at the plan-making stage, the purpose of a typology approach is to test a number of representative sites that could be realistically delivered and then allowing plan makers to assess appropriate policy requirements and benchmark land values according to each typology.

We found that a typology approach to development plan / CIL viability testing appears to be widespread. This is in line with PPG and DPM which both advocate a typology-based approach. We only found one local planning authority (London Borough of Croydon) that took an alternative approach of undertaking a series of site-specific viability appraisals. A number of authorities also tested real allocations alongside notional sites. Often these were subject to bespoke, location specific assumptions which deviate from the wider viability assumptions used for the notional sites. This approach reflects the guidance set out in the PPG and DPM and recognises how strategic sites are critical to the delivery of the strategic priorities of the plan.

Our analysis found that the most common approach was to distinguish between typologies on the basis of site size (or housing capacity). This appears logical given that

some of the underlying viability assumptions attributed to smaller sites are likely to be different to that of much larger sites. However, there are clearly other factors besides size which are appropriate considerations in the context of viability: density, previous use classification, site character and housing market value area. Our review has shown that local authorities have generally adopted a bespoke set of typologies (as advocated by the PPG and DPM) that reflect a combination of all these considerations. As such, it is clearly not possible to set out a ‘one size fits all’ primer for implementing a typology approach since the appropriate way will vary from one authority area to another. The PPG summarises this efficiently at Reference ID 10-004-20190509:

“The characteristics used to group sites should reflect the nature of typical sites that may be developed within the plan area and the type of development proposed for allocation in the plan.”

What our review does show is that it is critical to ensure that the final choice of site typologies is an accurate and realistic reflection of the types of sites that could come forward during a plan period in the local authority area.

Although there is no certainty that sites will not be delivered if the typologies assessed at the plan-making stage were not representative, there is perhaps a more fundamental risk that the development plan will not be found sound if it fails to adequately reflect the nature of local development in the area.

Lichfields perspective on typologies

The use of representative typologies, using average costs and values is a sensible and pragmatic way of conducting viability appraisals on an area-wide basis and across multiple sites. The potentially onerous information requirements associated with the preparation of multiple site-specific viability appraisals at the plan-making stage would be likely to have significant resourcing implications for many local authorities. Indeed, on the developer side of the equation it would perhaps be unrealistic to expect such detail to be forthcoming for all potential sites vying for a local plan allocation. The need to consider the potential viability implications of as yet unidentified sites that are not being promoted for allocation further increases the logic of this approach. However, for strategic sites that are individually fundamental to the delivery of the plan strategy, there is a greater imperative to consider viability on a site-by-site basis – not least that there may not be any other sites that would fit into the same broad typology.

Whilst this approach addresses the practical challenge of setting appropriate policy requirements and benchmark land values at an area-wide level, there remains the issue that some sites will inevitably fall through the cracks by virtue of their particular characteristics or – perhaps most pertinently – by changing circumstances. Through extrapolation of the typology approach, once a development plan is adopted, planning applications that come forward for sites that sit within the typology framework tested (and that accord with all relevant policy requirements) are deemed to be viable. However, what of sites that do not fit within any of the typologies that were tested and does national policy provide any flexibility in this regard?

Reference in the PPG and DPM to ‘particular circumstances’ to justify the need for a viability assessment at the application stage suggest that flexibility does exist; however, ultimately it will be for the decision maker to decide on the weight afforded to the applicant’s case. It also remains to be seen to what extent the current pandemic-induced economic uncertainty will constitute particular circumstances. Whilst the focus of changes to the guidance has very much been to ‘frontload’ viability assessments this has the potential to fundamentally undermine the premise of plan-led viability.

05 Unpicking the typologies

In this section we discuss each factor in turn, providing commentary on the general trends found in relation to that factor across the country. We also provide our thoughts on what a reasonable approach should take.

In so doing, we have categorised the metrics into three broad categories:

1. Factors with a common methodology – where there was general conformity in the method that was applied by the majority of local planning authorities, even though specific values may have differed;
2. Factors with a narrow range of values/figures; and,
3. Factors with a broader range of values/figures.

Factors with a common methodology

Build costs

Definition

In a residential context, the base build cost is the cost of constructing a dwelling from the ground up but excluding the cost of external works.

The build cost is a key input that evidently forms a significant proportion of the gross development cost. It is therefore an important consideration that needs to be included as part of a robust viability assessment. It is also important as we have found that other costs (e.g. externals, abnormals, contingencies, professional fees and finance) can be based on a percentage of build costs. Therefore, higher build costs would result in other costs being higher which will inevitably have an impact on the viability appraisal.

The PPG and DPM both state that build costs should be based on 'appropriate data' and specifically cite the Building Cost Information Service (BCIS). Provided by the Royal Institution of Chartered Surveyors, BCIS is a cost and price information service for the

UK construction industry. Our analysis of Local Plan and CIL viability assessments has identified that 95% of the studies relied upon data sourced from BCIS (77 out of a total 81 studies where the source of build costs was made explicit). Only two authorities were found to have used an alternative method.

A number of local authorities sought to adjust BCIS costs to reflect a number of specific variations, including:

1. Geography – i.e. urban/rural and low/high value areas within the authority area;
2. Size of scheme – Higher build costs for smaller schemes with an uplift of up to 10% for smaller schemes and reduction of up to 8% for larger schemes including strategic sites reflecting economies of scale (the use of the BCIS lower quartile is a common approach for large schemes); and,
3. Inclusion of other costs such as environmental standards, building regulations Part M, building regulations enhancements, preliminaries and contractor's profits. It is important that if these costs are considered in the build costs that they are not double counted in other sections of the assessment.

North Devon and Torridge Council used a combination of BCIS costs alongside discussions with developers, valuers, agents and others to inform build costs. This approach sought to use a range of data inputs to result in a base build cost that it considered to be reasonable. Whilst recognising that there are a number of methods for the calculation of build costs, a range of data sources, and a multiplicity of opinions, the Council considered that its multifaceted approach resulted in robust costs being set.

Barrow-in-Furness was the only local planning authority to move away from BCIS completely. Instead, it used a range of build costs based on quantity surveyor assumptions which were presented/costed differently based on different scheme densities, adjustments for quantum and for brownfield and greenfield sites (inclusive of externals).

95%

relied on build cost data sourced from BCIS

75%

used a methodology that cross-referenced HM Land Registry price paid data with data sourced from the Energy Performance Certificate (EPC) register

Lichfields perspective on build costs

Although not without its limitations, the use of BCIS – potentially adjusted to take account of various factors – is commonplace in area-wide viability assessment. It is also endorsed explicitly within PPG and DPM. However, this is not to say that alternative approaches cannot be applied with appropriate justification. BCIS, however, has the advantage of being widely accepted as well as its transparency and accessibility.

Sales values

Definition

The market value of a completed development, typically presented on a per unit area basis. When aggregated, net of appropriate reductions for social and affordable rented housing, this forms the basis of the Gross Development Value (GDV).

As is the case with construction costs, the sales values (or revenue) from a completed development are subject to locational variability. For individual districts, the area-wide viability assessment needs to factor in this variability by applying differential revenue assumptions to different locations and/or typologies. This needs to be based upon a robust understanding of the local housing market and sub-markets. Due to the inherent geographical variation, our analysis has focused on the central methodology employed by each authority when determining sales values. It has also focused on the methodology used to define the core market value assumptions since both the level of affordable housing (by definition, up to 80% of market value) requirements and their associated transfer values will differ from one local authority to the next.

Our analysis indicated that approximately only half of the 93 local authorities studied provided information on their adopted methodology for assessing revenue. Of those that did, 75% (33/44) used a methodology that cross-referenced HM Land Registry price paid data with data sourced from the Energy

Performance Certificate (EPC) register. This approach is widely-used within the industry and its purpose is to ensure a consistent basis of analysis by allowing the value (price paid data) to be divided by the size of dwelling (EPC) – thus presenting the data as a rate per square metre (£/sqm). This approach relies on the use of data for new-build residential development (rather than all house sales) and is therefore subject to data lags in both the availability of Land Registry and EPC data from the completion date.

Despite being widely-used, there are a number of alleged limitations associated with this approach. A review of local plan viability representations in Durham has indicated that developers expressed concerns that the approach can over-inflate sales values by understating the role of sales incentives and through undermeasurement of floor areas. Whilst it is true to say that the approach based solely on unit size may represent an oversimplification of the factors that affect value it is however appropriate within a plan-making context where exact types of houses may not be known.

In the small number of alternative approaches detailed, these included the use of asking price and dwelling size data from sales particulars reviews of data provided by local authorities or on platforms such as Rightmove and Zoopla, and discussion/consultation with developers.

Lichfields perspective on sales values

The value in the Land Registry/EPC approach is that it provides a straightforward mechanism for assessing sales values on an area-wide basis and one that can be applied consistently (e.g. £/sqm). The use of the method to assess average sales values helps to mitigate anomalies that might otherwise push the bounds of achievability in practice. The absence of clear alternative approaches that can standardise sales values to the same extent is also another important practical consideration.

Whilst the approach is useful in many ways, there are a series of related questions that have the potential to affect local plan viability assessment work going forwards:

1. Since the approach relies on new-build data, what approach should be adopted in areas where only a few (if any) new houses have been built recently? How far back in time should you go?
2. Despite the resilience of house prices during 2020, there is widespread uncertainty about how the UK property market will fare in 2021 and beyond as Coronavirus financial support schemes and Stamp Duty holiday come to an end. What are the implications of potential house price changes associated with Covid-19 for achieving a suitable quantity of new-build comparables and for preparing viability assessments more generally?
3. Against the backdrop of rising build costs (increasing cost of labour and materials, and environmental sustainability requirements etc), to what extent could house price reductions nationally threaten the viability of local plans and individual sites?

82%

assumed 20% of GDV as the target profit margin for housing delivered on the open market

Factors with a narrow range

Developer profit

Definition

The amount by which the estimated income of a development exceeds the total outlay in order to provide a return to the developer.

The PPG states that:

“Potential risk is accounted for in the assumed return for developers at the plan making stage. It is the role of developers, not plan makers or decision makers, to mitigate these risks.” (Reference ID: 10-018-20190509)

Developer profit margins are applied as a fixed input to viability appraisals and are, in most cases, applied as a percentage of GDV. This approach appears to be the appropriate basis in the context of residential viability appraisal although alternative means were also observed in a minority of cases, such as profit on cost. A small number of studies included a separate allowance for developer overheads but we have found that generally these costs are wrapped up within the overall profit allowance.

Significantly, our analysis has shown that 82% of studies (76/93) assumed 20% of GDV as the target profit margin for housing delivered on

the open market. Only 11% of studies (10/93) adopted a lower target profit margin (typically between 15%-20% - the range identified in the DPM in Wales) whilst one study (North East Lincolnshire) assumed a 25% margin.

57% of studies (53/93) utilised a blended profit approach that typically comprised of a 20% GDV assumption for open market housing and 6% GDV for affordable housing. Where such an approach has been used, it is important to recognise that the ‘blended’ profit allowance will vary depending on the level of affordable housing sought by the local authority. These findings accord with the PPG which states that in order to establish the viability of plan policies an assumption of 15-20% of GDV may be considered as a suitable return¹. It is noted, however, that in Wales the DPM refers to a range of 15%-20% as a suitable profit margin for the open market component of development.

We found that 6% of studies (6/93) applied lower profit levels to smaller sites, on the basis that the delivery of larger sites can inherently carry greater risk (and therefore developers seek a greater return to reflect the added risk). As previous Lichfields research² has demonstrated, larger sites take far longer to deliver and thus expose developers to added risk, possibly over the course of multiple economic cycles. This is recognised in the DPM which states that *“larger sites can carry more risk where they take a long time*

Lichfields perspective on developer profit

Area wide viability assessments are required to set profit at a level that reflects developer risk and therefore incentivises housing delivery. This inevitably varies according to economic conditions, delivery timings and site typologies – with larger, more complex sites generally exposed to higher levels of risk. If developer profit is set too low it can act as a deterrent to investment.

Our analysis has shown that the most common approach was to set target profit levels for market housing at 20% of GDV, and typically 6% of GDV for affordable housing. However, the adoption of a single area wide standard/benchmark can be inappropriate, and it is recommended that flexibility is built in to account for the differential levels of risk across site typologies. This is particularly true of larger, strategic sites where significant upfront investment is required and where their delivery could be integral to development plan delivery.

¹Reference ID 10-018-20190509

²Lichfields Start to Finish (2020) https://lichfields.uk/media/5779/start-to-finish_what-factors-affect-the-build-out-rates-of-large-scale-housing-sites.pdf

to build out and an increased profit margin may be required, whereas smaller sites being developed quickly may not.” (Page 145).

Given that profit can reflect risk, there is also a likelihood that macro-economic conditions might influence profit margins, with higher levels being sought at times of recession. The DPM identifies a potential link between profit margins and interest rates, and there is also some evidence that some lenders will stipulate a certain profit margin as an additional layer of flexibility to be added into the financial modelling of a scheme.

Externals

Definition

The cost of works surrounding a dwelling including gardens, estate roads, sewers, landscaping, boundary treatments, incidental open space etc.

Our analysis showed that 77% (72/93) of local authorities utilised an allowance for external costs within their viability assessments. We have identified a range of approaches in relation to externals works: from singular, flat rates to tiered systems whereby sites varying in nature or size had differential allowances. The tiered approach acknowledges that the amount of external works that are required will vary between different site typologies. For example, larger, strategic (often greenfield) sites are likely to require proportionately greater levels of external works compared to smaller, urban infill sites.

Lichfields perspective on externals

Our analysis suggests that a rate of between 10% and 20% is most commonly used within viability assessments to account for external works. We consider that the use of a range is reasonable to take account of variations in external costs between different sizes of schemes and different forms of development. It must also be noted that if an alternative basis is used for base build costs (i.e. other than BCIS) then externals may or may not be required as a separate element. In such cases, consideration should be given to the scope of what is included in the base build costs.

Of the 72 studies that applied an allowance for externals, 63% (46/72) applied a flat rate, whereas 23% (17/72) applied a range or tiered approach. Flat rates were typically set at 10-15% of base build costs, whereas the tiered approach tended to span a wider range – typically between 10% and 20% of base build costs.

Irrespective of approach, the overwhelming majority of studies (93% of those that made an allowance) employed an externals allowance within the range of 10-20% of base build costs. Very few (less than 10% of studies) used assumptions lower than 10%, with such levels more commonly applied for flatted/high density typologies which typically involve less external works.

Contingency

Definition

An allowance for any unexpected cost increases due to unforeseen circumstances, usually reflected as a percentage of buildcosts.

It is common practice to include a contingency allowance to help mitigate delays and additional unforeseen costs throughout the construction period. Importantly, this allowance can be distinguished from other potentially uncertain costs such as abnormal development costs (see below). The latter, whilst not incorporated into base build costs or externals, can generally be identified at the outset whereas contingencies cater for situations in construction that cannot reasonably be foreseen.

93%

employed an externals allowance of between 10-20% of build costs

89%

made a contingency allowance of between 2.5% - 5% of build costs

A contingency allowance is linked to the risk associated with development projects and is therefore also linked to developer profit. This is reflected in both RICS valuation guidance³ and PPG⁴ with the latter stating that “a justification for contingency relative to project risk and developers return” should be provided. The DPM similarly states that:

“Plan makers should not plan to the margin of viability but should allow for a contingency to respond to changing markets and avoid the need for frequent plan updating. Including a contingency within the viability study will de-risk the plan in that there is room to accommodate a change in economic circumstances / site specific issues.” (Page 145).

Our analysis shows that over 88% of local authorities (82/93) made a contingency allowance of some sort, the majority of which made an allowance as a percentage of the base build cost. In a small number of cases, an allowance was made as a percentage of the base build cost plus other costs such as external works and professional fees.

Contingency allowances were shown to sit within a relatively narrow range: we have found that of the local authorities that did make a contingency allowance, 89% of the studies made an allowance within the range of 2.5%-5% of build costs, although 5% was by far the most common assumption. Both 3% and 5% have been cited as reflective of industry norms. Very few contingency allowances sat outside this 2.5%-5% range and are therefore not deemed significant for the purposes of this exercise.

Bradford Council utilised a contingency of 6% whilst Cambridge and South Cambridgeshire applied contingency rates of 5% and 7% respectively. Hull Council applied the lowest rate of just 2%.

Of the local authorities that did make a contingency allowance, 24% applied a higher allowance for brownfield sites than for greenfield sites. Brownfield site contingencies tend to sit towards the 5% end of the range. By contrast, the risk in delivering greenfield sites is lower and therefore necessitates a smaller allowance (typically 2.5-3%).

Professional fees

Definition

The cost of professional inputs to planning, design and project management in the development process.

There are a range of professional services that are required in the development process and that need to be accounted for in viability appraisals. The precise composition of services required will vary according to the characteristics of any given development. To simplify this, it is common practice to combine these costs together and factor them into the viability assessment through the application of a percentage of base build costs. The PPG states that the cost of professional fees should be taken into account when defining benchmark landvalue⁵.

Lichfields perspective on contingency

The choice of either a flat rate contingency or a tiered system depends heavily on the array of sites needing to be tested, with authorities with a greater mix of greenfield and brownfield sites perhaps being more inclined to adopt the latter approach. In either case, our research has demonstrated that an indicative range of 3-5% of base build costs is reflective of industry norms across England and Wales. In line with the PPG and the DPM, the application of an appropriate contingency allowance should be assessed within the context of the risk profile that is also reflected by developer profit margins.

³RICS Professional Guidance Note (2019) Valuation of development property, 1st Edition

⁴Reference ID 10-012-20180724

⁵Reference ID 10-012-20180724

Our analysis found that almost all studies (94%) explicitly included an allowance for professional fees. 83% of these studies (72/87) applied a professional fees assumption within a tight range - 8-10% of build costs considered. Only 17% of studies (15/87) relied upon assumptions that were outside this range with a maximum of 12% and a minimum of 5% of build costs.

The effect of economies of scale is an important consideration in the application of a professional fees allowance. The cost of preparing a planning application, designing and project managing a scheme is likely to be disproportionately higher for smaller schemes. Despite this, our analysis demonstrated that only approximately 10% of studies applied a differentiation on the basis of size of site/total number of units.

Development finance

Definition

The cost of borrowing to finance a development, usually referring to interest rates and arrangement fees.

Development appraisals should account for the timing of developer expenditure and revenue during the construction period. At the start of the construction period the balance between expenditure and income is heavily skewed in

favour of costs as site preparation works take place and there are no completed units that can be sold. As more units are completed and sold the balance gradually shifts up to a point where a developer's net cash flow is positive (see Figure 6).

It is common practice in conventional development appraisals to assume that all costs incurred by developers are financed by borrowing and therefore subject to an interest rate. This is a reasonable assumption and even if only some of the scheme was to be debt financed, it would be appropriate to make some allowance for the opportunity cost associated with investment in the project.

An interest rate is therefore applied to the net cash flow throughout the development lifespan until the inflection point of a positive net cash flow is reached. At this point, development appraisals may assume that the surplus generated may be re-invested and therefore subject to a credit balance interest rate. The level of sophistication of cash flow models used will, to a degree, dictate whether or not a credit balance interest rate is accounted for. Additionally, the point at which a scheme starts to turn a profit will vary and is therefore more difficult to generalise on an area-wide basis. As a result, our analysis focuses only on the assumptions used around debt financing. In general, we found that very few area-wide

Lichfields perspective on professional fees

Our analysis provides a strong basis for 8-10% of build costs being a typical range for professional fees assumptions in a local plan viability context. However, it should also be noted that there are a range of factors – including site size – that can affect the appropriate rate to apply. A point that is not clear from the analysis is the extent to which professional fees vary between types of sites, e.g. brownfield/greenfield and location. In sensitive areas, or where the site is heavily contaminated etc, there might be a need to do more by way of technical assessment/justification for the development. By comparison, greenfield sites (even when allocated) may also require higher professional fees to support potentially a more controversial and drawn-out planning case. Due to this complexity it is perhaps unrealistic to expect that a professional fees allowance – particularly within an area-wide context – can adequately reflect this granularity.

85%

applied a debt interest rate of between 6%-7%

studies made assumptions in respect of a credit balance interest rate.

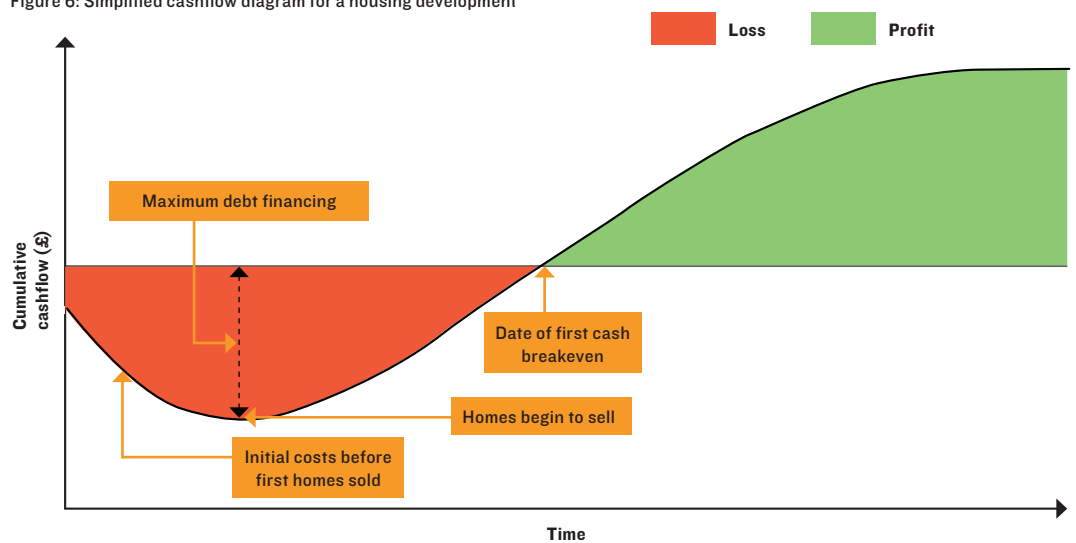
Within the studies assessed, development finance is illustrated as a percentage and occasionally including a separate percentage on top for an arrangement fee. Our analysis has shown that 85% of studies (79/93) utilised a debt interest rate of between 6% and 7%, incorporating an arrangement fee where relevant. A wider view shows a complete variance of between 5% and 9% with only one study (South Downs National Park) utilising a 9% figure (7% plus arrangement fee of 2%). On the other end of the spectrum the lowest interest rate used in the assessment was 5% -

used by three local authorities (Hull, Newark & Sherwood and Newport).

Based on our analysis it appears that a relatively narrow range of values is used in the development appraisals in relation to interest rates (between 6 – 7%) with nine authorities including an arrangement fee of 1 to 2% on top of this. Some authorities did not separate the finance fee from the arrangement fee and provided a single percentage.

The narrow range of values used for development finance appears to be based on standard assumptions of what interest rates banks are willing to lend on which are based

Figure 6: Simplified cashflow diagram for a housing development



Source: Lichfields analysis



Figure 7: 1 Year LIBOR Rate (1986-2020)



Source: www.macrotrends.net

on the LIBOR (London InterBank Offered Rate). Although currently much lower now than it has been in the recent past (see Figure 7), at the time when several of the studies were prepared LIBOR would have been far higher in comparison to the Bank of England base rate which is currently extremely low. This explains why the interest rates applied appear high within the present context but also the variance in rate may be explained due to the fact the studies reviewed have been prepared across a broad timespan. In seeking to understand the fluctuating LIBOR rates, consideration should also be given to the economic climate and willingness of banks to lend. As set out above, this will have a direct impact on any consideration of whether the assumptions that have been made by individual local planning authorities in respect of finance rates are reasonable.

It is also important to consider the period of time that the money is borrowed for. This is of course influenced by the amount of time that it takes for a development site to go through the planning process and deliver completions and sales on site. Lichfields' [Start to Finish](#) research sets out assumptions on development timescales and delivery rates.



Lichfields perspective on finance

Our analysis reveals that debt interest rates applied sit within a relatively narrow range (between 6 – 7%). Within the current context the upper end of this range may seem high, and future applications need to have regard to the prevailing economic conditions and LIBOR rate (or its successor - the Secured Overnight Financing Rate).

91%

adopted a sales and marketing assumption of 2.5-3.5% of GDV

Sales and marketing

Definition

The costs associated with selling completed homes including the costs of setting up show homes, employing marketing staff and advertising as well as associated legal fees.

The costs associated with selling completed homes will vary based upon the scale of development. For larger schemes, most developers incur the costs of opening show homes, operating marketing suites and employing dedicated sales staff. This may not be the case for smaller schemes which might opt for the utilisation of an estate agent to market the properties. Irrespective of scheme size, it is typical that developers incur the cost of digital marketing through online platforms.

Our analysis shows that 96% of assessments (89/93) included an assumption for sales and marketing. Of the assessments that did provide a figure 91% of local authorities (81/89) adopted a figure for sales and marketing between 2.5% and 3.5% of GDV. A wider view shows that the total range was between 2% and 6%. All percentages were based on GDV, with

11 local authorities basing the percentage on open market GDV only. Such an approach is not unreasonable as the transfer of affordable homes to Registered Providers would not necessitate marketing expenses, although there will be some legal costs involved in the process which should be taken into consideration.

The London Borough of Bromley utilised a range of between 3% and 6% with 6% being the highest percentage used by any authority in our study, by a considerable distance. There is no explanation for the higher end of the range, although we might speculate that the use of a range reflects a need to differentiate between larger schemes which may incur far higher marketing overheads compared to smaller schemes.

15 local authorities allowed an extra cost for legal fees (represented as a price per unit) in addition to the percentage figure summarised above. The range of figures applied was between £400 and £750 per unit, with 11 authorities applying a figure of £750 per unit. The authorities that included a separate fixed cost for legal fees tended not to apply a lower percentage figure for sales and marketing costs compared to the authorities that did not include an additional fixed cost for legal work.

Lichfields perspective on sales and marketing

Sales and marketing costs are standard metrics that need to be included within a viability assessment. Our research points towards a general consensus that 2.5%-3.5% of GDV is a typical range, with individual circumstances dictating where within this range a local authority sits. For local authorities with a broad range of typologies, it may be appropriate to apply a differential rate, but within this identified range.

Whilst not common throughout the evidence base, it is not unusual for local authorities to include a cost for legal fees on top of the percentage. The evidence suggests that a figure of £750 per unit is reasonable in this instance.



77%

applied a land acquisition allowance of 1.5-2.25% of the purchase price (excluding SDLT)

Land acquisition

Definition

The agency and legal fees, and stamp duty land tax, associated with the acquisition of land by a developer.

Land acquisition costs generally cover both agents and legal fees. This relates to the cost incurred by developers in the acquisition of land. It is separate to the sales, marketing and legal fees that are associated with the disposal of completed homes to purchases.

Our analysis has shown that the viability assessments have exclusively expressed land acquisition costs as a percentage of the land purchase price. Stamp Duty Land Tax (SDLT) is typically applied as a separate, additional component of the land acquisition fees and is based on the land value at the prevailing rate.

81% of assessments (75/93) provided a figure for agent and legal fees or a combined fee for both elements. For those authorities that provided separate figures for agents and legal fees:

1. The agency fee typically ranged from 0.75% to 2%; and,
2. Legal fees typically ranged from 0.25% to 1%.

Combined, the percentage ranged from 1% to 6.8% of purchase price. It is noted, however, that the upper end of this range represents studies that included an 'all in' land acquisition percentage, comprising agents and legal fees as well as SDLT. Stripping out those local authorities who factored in a SDLT component, it appears that the upper limit of the range was 3.5% (Arun).

Considering the data in the round, 84% of studies (63/75) sat between 1% and 3% of purchase price. A significant majority (77%), however, sat within an even tighter range of 1.5% - 2.25%.

Lichfields perspective on land acquisition

Similar to the sales and marketing costs, the land acquisition costs are fairly standard metrics that need to be included within a viability assessment and there appears to be a general consensus that a combined percentage of between 1.5% and 2.25% of the land purchase price is an appropriate allowance for land acquisition costs (agent and legal fees) with SDLT to be added on top of this.

61%

did not apply an allowance for abnormal costs

Factors with greater variation

Abnormals

Definition

Costs generally that are considered outwith the standard construction requirements of a scheme. This can include a variety costs, including (but not exclusively) site clearance/demolition/remediation, decontamination, enhanced foundations, service diversions, flood mitigation etc.

As the above definition hints at, a precise and all-encompassing definition of what constitutes an 'abnormal' development cost can be hotly contested and different parties involved in viability appraisal will have different definitions. As abnormals are not standard construction costs, often preliminary site investigation work is required to determine their nature and extent. This in of itself can be a time-consuming and costly process and does not necessarily lend itself well to the levels of standardisation that are generally required to input to high level, area-wide viability models.

Perhaps as a result of this inherent uncertainty, 61% of studies (57/93) did not apply an allowance for abnormal costs. We found that there were a variety of reasons for not doing so, although in general terms the authors of many viability assessments suggested that it can be

inappropriate to be building in what can be – by their nature – highly variable and site-specific cost assumptions to a high level, area-wide study. Other justifications for non-inclusion were due to abnormal costs being factored into other input assumptions, such as the land value and within a viability 'buffer' (although to a far lesser extent).

Two thirds of the studies that did apply an allowance for abnormals adopted a brownfield-only approach (with no allowance applied to greenfield sites). A minority of studies 34% (12/35) applied a blanket abnormals cost allowance to all sites, and in some cases this was supported by a narrative to articulate why this was necessary. Reasons included the presence of abnormal ground conditions, such as sloping sites or a legacy of coal mining activity, across a range of (brownfield and greenfield) typologies.

Reflecting the inherent complexities associated with modelling abnormal development costs as part of an area-wide viability model, a broad spread of approaches was observed, including:

1. % of build costs allowance - 49% (17/35);
2. Cost per hectare (or acre) allowance - 31% (11/35); and,
3. Cost per unit allowance - 14% (5/35).

A percentage of build costs approach was most commonly observed although there was significant variability in the actual percentage applied – and it is therefore not possible to draw any transferable generalisations from this.

Lichfields perspective on abnormals

Abnormal development costs are inherently difficult to standardise for the purposes of area-wide viability modelling. Despite our analysis revealing that the majority of studies did not apply an allowance for abnormals, the potential impact on viability that such costs can exert cannot be ignored, especially in former industrial areas. Local knowledge of site typologies is therefore important to make a balanced judgment on whether it is appropriate to apply an allowance. If applied, assessment authors should set out clear justification for inclusion, ensuring that these would not overlap with other site costs that are already accounted for. In addition, careful consideration needs to be given to the interface between abnormal costs and land value (see Section 6).

Opening up costs

Definition

Initial costs associated with the provision of infrastructure required to open a site up for development.

In discussing costs that need to be considered in a viability assessment, the PPG does not specifically reference opening up costs. However, it does recognise that costs include:

“Site-specific infrastructure costs, which might include access roads, sustainable drainage systems, green infrastructure, connection to utilities and decentralised energy.” (Reference ID 10-012-20180724).

Some of these will be opening up costs such as the cost of creating a site access whilst others would fall under the umbrella of externals, perhaps due to the lack of clear guidance in the PPG. The DPM in Wales is more specific and recognises that greenfield sites may have ‘opening up’ costs.

Within our analysis we found that ‘opening up costs’ is not a term that is in widespread use and there is quite a lot of crossover between costs being incorporated within different cost assumptions such as externals and other general terms. Where this is the case it is difficult to quantify the basis of the opening up costs. For example, one consultant who has prepared a

number of assessments uses a term called ‘other normal development costs’ which includes costs for roads, drainage and services within the site, parking, footpaths, landscaping and other external costs. Due to this and the wide range of costs identified we have concentrated on the method of calculating the cost assumption as opposed to the actual cost. However, we note that for all sites there was an obvious correlation between the costs applied and the number of dwellings on site. However, flatted schemes are generally afforded a smaller sum or percentage compared to houses due to the reduced need for ‘opening up’ costs for a higher density scheme on a smaller site area.

58% of assessments (54/93) did not include a specific reference to ‘opening up’ costs although as explained above, this is not to say that the costs have not been provided as part of another cost input such as externals or a broader definition.

Of the 39 local authorities that specifically referenced ‘opening up’ costs as an assumption in their viability assessment, 28% (11/39) presented this as a cost per hectare allowance, 53% (21/39) presented this as a cost per unit allowance and 19% (7/39) used a different approach.

Of the authorities that specifically referenced opening up costs 67% (26/39) used a differential allowance, i.e. a range of different costs depending on various factors such as size of site, houses/flats and whether it is greenfield or brownfield.

Lichfields perspective on opening up costs

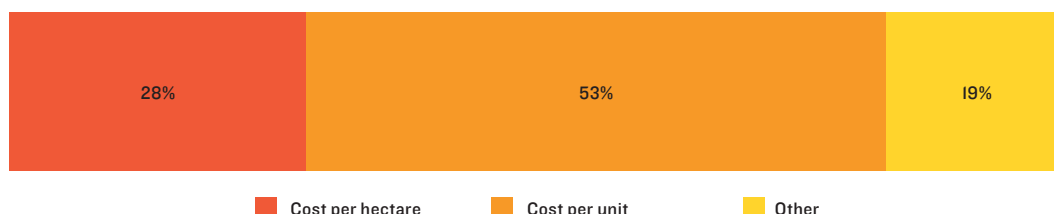
The issues seen in respect of opening-up costs raise an important issue regarding the way in which costs are apportioned to different categories. Local planning authorities should be very clear about their approach to construction costs, externals, abnormals, contingencies and opening-up costs, including a detailed breakdown of the components of each and the assumptions that have informed their identified rates for each. This will allow proper review at plan preparation stage.

It is sensible for local planning authorities to provide a range of different sums/percentages as it is clear that opening up costs will vary from site to site, based on the nature of the location and the extent of work that is required to facilitate the development of the site. A brownfield site is likely to already have provision for access and utilities, albeit they may need to be upgraded. An approaches based on a per hectare basis or a per unit basis can both be considered appropriate as long as they are justified by evidence.

26%

applied a viability
buffer of some form

Figure 8: Opening up costs



Source: Lichfields analysis

Viability buffer

Definition

An allowance that is built into a viability assessment in order to allow flexibility for varying circumstances such as increased costs, reduced values or site-specific costs.

It is important that development plans do not plan to the margin of viability. The concept of a viability buffer is one that seeks to ensure that developments can remain viable should circumstances change in the future. To avoid any risk of development becoming unviable and therefore not being delivered, it is appropriate to proactively plan for a viability 'headroom' which can help to mitigate adverse economic conditions.

The PPG advocates the application of a buffer in relation to CIL⁶:

"A charging authority's proposed rate or rates should be reasonable, given the available evidence, but there is no requirement for a proposed rate to exactly mirror the evidence. For example, this might not be appropriate if the evidence pointed to setting a charge right at the margins of viability. There is room for some pragmatism. It would be appropriate to ensure that a 'buffer' or margin is included, so that the levy rate is able to support development when economic circumstances adjust." (Reference ID 25-020-20190901).

There is no direct equivalent reference in the viability section of the PPG and this is reflected by our analysis which reveals that only 26% of studies (24/93) applied a viability buffer of

some form, and that the majority of these (20) were applied within the context of preparing CIL charging schedules. Just over half of all CIL studies analysed included a viability buffer whereas this was the case for less than 5% of all development plan viability assessments. Furthermore, most of the development plan viability assessments that included a buffer were carried out in conjunction with emerging CIL charging schedules or by referring back to CIL charging schedules adopted in relation to the previous local plan.

Where applied, our analysis has indicated that buffers were typically applied as a percentage (ranging quite dramatically from 20%-70%). The application of a 20% buffer essentially means that proposed CIL rates are 20% less than the maximum level of CIL that could be viably supported. Our analysis also found a more nuanced application of a buffer in a small number of cases, with three studies choosing to apply a higher buffer for larger and strategic sites.

The finding that development plan viability studies have not typically applied a buffer might well be a function of structural differences. It is easier to see why appropriate flexibility margins need to be built into headline CIL charging rates from the outset, as once adopted, CIL rates are non-negotiable. By comparison, studies that aim to assess the viability of local plan policy requirements have been prepared in the knowledge that policy requirements can be subject to negotiation on viability grounds – although the new emphasis on frontloading and an assumption of viability

⁶CIL regulations apply both to England and Wales and therefore PPG applies to Wales in this matter

at the decision-taking stage reduces the scope for this in the future. In addition, it is easier to see how a buffer can be applied to a financial contribution such as CIL than to the types of requirement that might be sought through a Section 106 agreement or environmental/design requirements.

Another possible reason for not including a viability buffer is where flexibility margins are built into other areas of the modelling. One CIL study (North Somerset) did not deem it necessary to set an additional amount as a buffer, “since buffering had been built into the whole approach”. There are several possible viability assumptions where this is theoretically possible, through the use of average values and the necessary adjustments to contingencies and developer profit to reflect risk in the process. In Wales, the DPM identifies an allowance for contingencies as a means by which it will be possible to avoid planning to the margin of

viability, whilst the viability section of the PPG suggests that assumptions on risk in viability assessments are the primary vehicles by which flexibility is ensured over time:

“As the potential risk to developers is already accounted for in the assumptions for developer return in viability assessment, realisation of risk does not in itself necessitate further viability assessment or trigger a review mechanism. Review mechanisms are not a tool to protect a return to the developer, but to strengthen local authorities’ ability to seek compliance with relevant policies over the lifetime of the project.” (Reference ID 10-009-20190509).

Lichfields perspective on viability buffer

Flexibility to account for changing circumstances is a fundamental issue in viability, and particularly so in the current economic climate. Whether or not a ‘buffer’ is directly referred to, that the approach of individual local authorities to addressing flexibility is going to be critical in the success (or otherwise) of the policy approach of frontloading viability considerations to the development plan process. Given the narrowed scope to reconsider viability issues at the decision-taking stage, the inclusion of a buffer provides one way in which flexibility might be achieved in assessing the viability of development plans. However, this involves considerable practical challenges. For instance, to which elements of policy requirements should the buffer be applied? And how could it apply to design/sustainability requirements that are built into the development? Where flexibility is built into other components of the viability assessment, this should be made explicit.

The existing ‘decision-maker decides’ approach to application stage viability assessment may not provide the required flexibility in the current circumstances, and there is a risk of inconsistency between authorities regarding their willingness to adopt a flexible approach in respect of viability considerations. A better way to achieve flexibility may be through the reinstatement of application-specific viability assessments.

06 It all comes down to land value

An undeveloped parcel of land that is granted planning permission for residential use – or indeed most forms of development – will experience an uplift in value. In many cases, this uplift will be fairly significant. This economic phenomenon is central to an age-old question in planning and development: to whom should the lion's share of the value uplift accrue? Should it benefit the developer, the landowner, or the public in the form of planning obligations? This question continues to represent one of the most challenging issues for practitioners engaged in area-wide viability assessments as they attempt to strike the fine balance between demonstrating that a local authority's pipeline of sites can be delivered viably whilst also complying with planning policy expectations.

The concept of a Benchmark Land Value (BLV) refers to the middle ground that needs to be found to satisfy both local authority and landowner. The PPG reinforces the need for this balance to be struck through stating that the BLV should be established:

"...on the basis of the existing use value (EUUV) of the land, plus a premium for the landowner. The premium for the landowner should reflect

the minimum return at which it is considered a reasonable landowner would be willing to sell their land....while allowing a sufficient contribution to fully comply with policy requirements." (Reference ID 10-013-20190509)

By its nature, a middle ground position is a relative one that is sensitive to both area-wide and site-specific contexts. It is therefore difficult to measure in absolute terms or indeed compare easily between different local authorities. Notwithstanding the obvious complexities associated with this key issue, our analysis focuses on what we have interpreted to be the two areas in which some generalisations may be made:

1. The approach used in determining the BLV; and,
2. The concept of a landowner premium.

Approach

In a previous Lichfields' blog⁷ we discussed the implications of the Parkhurst Road High Court judgment from April 2018⁸. This landmark case dismissed the approach used by the appellant to determine the BLV as it focused solely on the

⁷Reassessing land values: <https://lichfields.uk/blog/2019/june/20/reassessing-land-values/>
⁸Parkhurst Road Ltd (PRL) and Secretary of State for Communities and Local Government and the Council of the London Borough of Islington (2018 EWHC 991)



use of comparable market evidence – evidence which is intrinsically more difficult to compare due to limitations with transaction numbers and also due to lack of transparency regarding how land values are affected by policy requirements. The latter, the judge argued, causes issues of ‘circularity’ whereby policy non-compliant land values may be used to artificially inflate BLVs over time. To avoid such an issue, the case endorsed an approach which centres around the existing use value (EUV) with the application of an appropriate uplift or premium – the so-called ‘EUV+’ approach – and demoting the use of market evidence to a supporting or ‘sense checking’ role. In considering comparable market evidence, it is important to ensure that it is truly comparable in terms of their location, use, and compliance with policy requirements. Taking account of a site that is not actually comparable would undermine its ability to serve any meaningful purpose and could weaken the robustness of a viability assessment and the credibility of its results.

A key element of 2019 NPPF/PPG was the introduction of a requirement to apply the EUV+ approach⁹, but our research shows that this was

being commonly applied prior to the Parkhurst Road judgement and the publication of the 2019 NPPF. Indeed, our analysis shows that 63% of studies (59/93) used the EUV+ approach as the central method for determining BLV. In several instances, this approach was complemented by other strands of evidence such as market evidence and developer consultation. 23% were found to use alternative approaches which in the main focused around analyses of comparable land transactions. Only 14% of studies failed to include any detail regarding the approach to determining BLVs.

Although this finding might be interpreted as a direct response to the Parkhurst Road judgment (with many of the studies analysed as part of this research post-dating it), the underpinning evidence bases are likely to have been developed over a period of time stretching back several years prior. This suggests that practitioners have been employing the EUV+ approach for some time, and that the Parkhurst Road judgment and subsequent modifications to 2019 NPPF/PPG could in fact be reflections of what was already taking place in practice.

63%

Used the EUV+ approach to determine Benchmark Land Values



⁹It should be noted that the DPM similarly adopts a BLV approach and states on page I43 that “the evidence should be clear as to what financial return (or benchmark land value) would realistically entice a land owner to sell for the proposed use”.

Based upon our analysis, it is also interesting to note that EUV+ was being applied widely in spite of the RICS guidance that applied at the time¹⁰ which appeared to distance itself from this approach (however, it is important to note that the latest RICS guidance¹¹, effective from July 2021, now aligns itself with this approach). The 2012 guidance highlighted the approach's arbitrary notion of a premium: how this can lead to inconsistent practical applications, and also how it can lead to instances of both over- and under-valuation.

Premium

As referenced above, there is no explicit policy guidance on the scale of land value uplift to apply in assessing the BLV. It is perhaps unsurprising that the PPG and DPM both stop short of doing so given the complexity involved in establishing the somewhat arbitrary concept of a 'minimum return' for a 'reasonable landowner'. Practitioners charged with the task of setting area-wide BLVs have been faced with the challenge of reconciling an array of quantitative and qualitative data (including market information and developer representations) whilst also attempting to reconcile site-specific interests with factors relevant at a local authority level. Within the framework of EUV+, we recognise that this is a challenging and contentious exercise which has the potential to leave interested parties feeling aggrieved if BLVs are set too low (risking the non-release of sites to the market) or too high (risking the viability of sites and/or potentially failing to comply with policy expectations).

It is also difficult to undertake a comprehensive analysis of the level of premium applied in each study that we reviewed for a variety of reasons:

1. The assessment of a reasonable premium is sensitive to location (it is not the case that one level of premium should be applicable across multiple sites);
2. EUV+ lends itself to a variety of approaches which cannot always be readily compared. For example, some employed an EUV+ %/multiplier whereas others employed an 'uplift split' approach whereby the

increase in land value is shared between the landowner and the public (in line with the approach adopted in the Shinfield Road appeal decision¹²); and,

3. The way in which information is laid out within underlying reports places limitations on our analysis. For example, the issue of premium (over EUV) is not always reported directly and our analysis is therefore contingent on there being the relevant information provided which would allow us to impute the practitioner's approach to the premium. In respect of this point, we note that the judgment of Dove J in *R (Holborn Studios Limited) v London Borough of Hackney*¹³ found that the ability of the public to engage on the issue of viability in an informed basis was compromised by the fact that "no explanation was provided as to how the benchmark land value had been arrived at in terms of establishing an existing use value and identify a premium as was asserted to have been the case." (Paragraph 71). Whether prepared for a planning application or a development plan, the point is that viability assessments must be very clear in explaining how the BLV was derived.

Although the majority of practitioners used the EUV+ method, our analysis shows that the way in which it is applied varies considerably. The most obvious difference – and one that would be expected – is linked to the existing use of individual sites. For brownfield sites, we found that studies favoured a simple percentage uplift over EUV, whereas for greenfield sites a EUV multiplier was typically preferred. Although this subtle difference may not seem significant, the use of an EUV multiplier is reflective of the fact that, typically, the value of undeveloped agricultural and paddock land (vis à vis greenfield land) is lower and therefore the difference between the EUV and the BLV should be considerably higher in order to incentivise a landowner to release their land for residential development (and one for which a % uplift approach would be cumbersome mathematically).

¹⁰RICS Professional Guidance Note: Financial Viability in Planning, 1st Edition (2012)

¹¹RICS Professional Guidance Note: Assessing viability in planning under the National Planning Policy Framework 2019 for England, 1st Edition (2021)

¹²Land at The Manor, Shinfield, Reading (PINS Reference APP/X0360/A/12/217914) 8 January 2013

¹³R (Holborn Studios Limited) v London Borough of Hackney and GH L (Eagle Wharf Road) Limited (2020 EWHC 1509)

Many studies reported ready-reckoners for agricultural land values. Despite being simplifications of the market for commercial agricultural land, these provide helpful benchmarks that provide a starting point for determining an appropriate EUV multiplier for greenfield sites. As one would expect, there was some variation across the country in the value of bare agricultural land, although where reported there was a broad coalescing of values in the region of £20,000/hectare (c.£8,000/acre). Accordingly, a site with a BLV assessed as £400,000/hectare would represent a multiplier of 20 times EUV (20 × £20,000/hectare). Clearly the same generalisations could not be determined for brownfield sites due to the inherent variation in EUVs. In the absence of reported evidence on EUVs, we note that the use of area-specific land value estimates for industrial and agricultural land published annually by MHCLG may be of use for this purpose¹⁵.

Notwithstanding the caution that should be exercised in doing so, a quantitative summary of the premiums applied to brownfield and greenfield sites is set out below:

1. **Brownfield** – generally a more consistent approach was applied for brownfield sites with the majority of studies using percentage uplift over EUV. Of the 26 studies where we were able to discern the brownfield premium, we found that 69% of these (18/26) assessed a reasonable premium as being EUV+ 20%. We found that the maximum percentage uplift over EUV ranged between 10% and 45%, but the most common uplift was 20%.
1. **Greenfield** – of the 29 studies in which a premium was discernible, 52% sat within a range of 15 to 20 times EUV. The maximum level of premium observed was close to 40 times EUV but we found that the premium tended not to be set any lower than 10 times EUV.

It should be stressed, however, that in line with the conclusions of Holgate J in the Parkhurst Road High Court Judgment, a ‘standard’ uplift/premium is not appropriate when assessing

an appropriate BLV and that consideration should be given to local and site-specific factors. Cognisant of this Judgment, we emphasise that the analysis above serves to provide benchmark for the scale of premium – on an area-wide rather than site-specific basis – that has been found sound by planning inspectors at recent development plan and CIL examinations.

Application in practice

Whilst the analysis above intends to set some broad quantitative parameters to the notion of a ‘reasonable incentive’, there are other factors that need to be considered when defining a BLV on a site-specific basis.

Principally, this relates to how the BLV (and more specifically the premium applied to define it) should be adjusted to make allowance for the level of costs associated in bringing the site forward for development. The PPG¹⁵ states that the following costs should be taken into account when defining BLVs:

1. **Abnormal costs** including those associated with treatment for contaminated sites or listed buildings, or costs associated with brownfield, phased or complex sites;
2. **Site-specific infrastructure costs** which might include access roads, sustainable drainage systems, green infrastructure, connection to utilities and decentralised energy;
3. **The total cost of all relevant policy requirements** including contributions towards affordable housing and infrastructure, CIL charges, and any other relevant policies or standards; and,
4. **Any professional site fees** including project management, sales, marketing and legal costs incorporating organisational overheads associated with the site.

One might be forgiven for thinking that this list essentially comprises the majority of the costs that any site may incur, with the exception of base construction costs and externals, and that this feels a rather exhaustive list to factor in. However, what this wording attempts to ensure is that developers and other parties have regard

69%

Reasonable premium: EUV+20% (Brownfield)

52%

Reasonable premium: 15-20 times EUV (Greenfield)

¹⁵ Ministry of Housing, Communities & Local Government: Land Value Estimates for Policy Appraisal (2020)

to the total cumulative cost of development when negotiating land prices. Within a EUV+ context, this means that landowners whose sites are not inherently straightforward to develop (by virtue of their specific remediation, infrastructure, policy-related factors that need to be addressed) should be prepared to accept a land value that reflects a reduced premium above EUV.

This rather important amendment is reinforced with a statement in PPG (on five separate occasions), that:

“Under no circumstances will the price paid for land be relevant justification for failing to accord with relevant policies in the plan.” (Reference ID 10-014-20190509)

How all of this plays out in practice is complicated, but we consider the following points represent the main practical considerations:

1. The absolute scale of reduction in premium that should be applied for a site with high abnormals, infrastructure and policy costs is no clearer from this guidance and still leaves a lot of room for subjective interpretation;
2. Notwithstanding the complexities of making the premium adjustments at a site-specific level, it is perhaps even less clear how can this issue can be dealt with equitably on an area-wide basis across a range of sites with different characteristics;
3. It is evident, however, that there is no such thing as a ‘one size fits all’ uplift to existing use value;
4. Bid prices for land need to be considered even more carefully, and potentially having regard to detailed site investigation work which ordinarily might have been expected at a much later stage of the development process. This cost ‘frontloading’ will need to be undertaken by developers/landowners/site promoters at risk which could potentially prove to be a significant obstacle for SME developers;
5. The requirement for price paid not to be taken into account in viability assessments reflects now-established practice but may still take some more time to filter through the system: there may be some more disappointment before this is fully accepted by all; and,
6. For strategic land promoters and developers that have secured option agreements with a pre-agreed purchase price the implications of the updated guidance is potentially a significant problem and one that could severely undermine site viability and deliverability.

Going forwards, the issue of BLV – and more specifically the application of an uplift to EUV – is likely to be a key argument during local plan examinations and inspectors will be called upon to adjudicate between a range of assumptions. But the one thing that cannot be up for debate is that the price paid cannot be factored into any viability assessment or used as a basis for seeking flexibility in respect of the application of policy requirements.

07 The viability challenge of garden communities

Whilst the PPG and DPM both advocate a typology approach to viability assessments in place of individual testing of every site, they recognise the importance of considering the specific circumstances of strategic sites that are significant to delivery of the strategic priorities of the plan. Whilst many development plans will incorporate strategic sites, the scale of these and their contribution to the strategic priorities of the plan will vary considerably. The challenge associated with assessing the viability of the very largest of strategic sites – garden communities – has been brought into sharp focus by the recent experiences of Hart, Uttlesford and the North Essex authorities.

1. In North Essex two of the three proposed garden communities were found to be neither justified nor deliverable. As a result, the spatial strategy and plan itself were found to be unsound;
2. The Uttlesford inspectors recommended that one of the three garden communities that were proposed should be deleted but considered the scale of changes that would be required meant that withdrawal was the most appropriate option; and,
3. The Hart local plan was only found sound after the proposed garden community had been removed.

A number of key themes can be drawn from these three cases. Whilst these ultimately revolve around the scale and complexity of garden communities and point to the importance of ensuring that robust and justifiable assumptions are made about costs and revenues, they are transferable to all viability assessments as they are essential in order to fully understand whether the scheme would be viable and, ultimately, if it could be delivered.

1. In each case, the inspectors expressed concern about the treatment of costs in the viability assessment. Infrastructure costs are likely to be significant and, despite potential uncertainties, need to be robust and justified, and take account of evidence of funding that has been secured. In North Essex, HIF funding was shown to be

available for two of the three proposed garden communities, but in Uttlesford the inspectors were not convinced about the scale of funding necessary or whether the garden communities could support such costs. As such, they did not feel that it had been adequately demonstrated that the garden communities were viable or deliverable. Other sources of funding – including from Homes England – may continue to be critical to the delivery of garden communities in the future.

2. Reflecting on the complexity of delivering new garden community, the Uttlesford inspectors drew on the 2012 RICS guidance in suggesting that professional fees should be set at a commensurate level (20%). They also expressed surprise that the viability assessment had not included any allowance for contingencies. In respect of this, the North Essex inspectors noted that the level of risk and uncertainty associated with planning for garden communities at the plan-making stage means that an appropriately high level of contingency should be provided. In this case, they considered 40% to be appropriate.
3. The amount of land that is required for the development of garden communities creates difficulties in estimating a minimum land price that would constitute a competitive return. It is important to avoid basing the viability assessment on a land price which is too far below such expectations, if landowners are to be persuaded to sell. However, the EUV+ approach applies to garden communities as well as all other development typologies and basing land values on comparable evidence without adjustment to reflect policy requirements can lead to developers overpaying for land. This may then compromise the achievement of policy requirements if the developer seeks to recover overpayment through a reduction in planning obligations. This is the “circularity” point that was identified by Holgate J in the Parkhurst Road Judgment. A phased approach to the delivery of

such large-scale developments affects the approach to land purchase with individual tranches typically being purchased two years prior to development. The impact of this is that land payments are staged through the development process, significantly (and beneficially) impacting on cash flow.

4. The viability assessment should be based on an appropriate build rate. Basing it on an unrealistically high average rate would not provide an accurate indication of viability as this would assume that revenue would be generated more quickly and interest payments would be reduced. It should also be acknowledged that build and sales rates will be slower in early years and that infrastructure costs to be disproportionately high. This should be reflected in the cost of borrowing and the level of peak debt.
5. The PPG advises that current costs and values should be considered when assessing viability of plan policy. Policies should be deliverable and not based on exception of future rises in values for at least the first five years of the

plan period. This ensures realism and avoids complicating the assessment with uncertain judgments about the future. The Harman Review recognised that forecasting house prices or costs is notoriously difficult over shorter term, and subject to wider inaccuracies over medium and longer term. There is no guarantee that a specified growth rate will be sustained throughout the decades it would take to build the proposed garden communities. Similar uncertainty also exists in respect of building and infrastructure costs. Application of inflation assumptions can result in dramatic (and unrealistic) increases of residual land value and need to be considered very carefully.

To some extent, the approach to modelling viability for garden communities is no different than in respect of any other form of development. However, the scale and timescales create challenges that are unique to garden communities and the recent examples of North Essex, Uttlesford and Hart provide a cautionary tale for all those involved in the promotion of similar schemes.



08

Conclusions and implications

In what the Government itself has branded an opaque area of practice, viability assessment is becoming increasingly intertwined with planning and plan making. This lack of transparency has been cast into sharper focus by the judgment of Dove J in the Holborn Studios case which highlighted the need for a better understanding of what the PPG describes as 'standardised inputs'.

This Insight provides a means by which we can begin to move towards a true standardisation of viability assessments. It is hoped that it helps to overcome concerns about the publication of commercially sensitive data and thereby allows for a more meaningful debate about development viability, at both the plan-making stage but also at the decision-taking stage, where circumstances permit. By its nature, it is acknowledged that standardisation will not account for all eventualities, and there will inevitably be specific circumstances that justify the application of alternative inputs. Given the array of challenges facing housing developers in the midst of a pandemic, we would expect application stage viability assessments to become increasingly common in the short to medium term. Within a climate of continued uncertainty, there is a risk that standardised inputs can rapidly become out-of-date, and we would therefore urge decision-takers to consider more closely the need for flexibility as circumstances change.

Of course, there are financial implications associated with the standardisation and front-loading of viability assessment. Rather than limiting engagement to application stage negotiations, the new system requires more protracted engagement across the entire development plan-making process, necessitating far greater work and expense for developers. Both English and Welsh Governments have recently made clear their desire to promote competition amongst developers and to assist SMEs and new entrants to sector, but it is not clear to what extent the time and cost investment of extensive engagement will militate against this ambition. What is clear, however, is that this system requires developers to engage heavily

in the process of development plan making on viability issues and within the framework of standardisation. As such, we would expect – and are already seeing evidence of – viability issues to play more of a determining role in the success or failure of development plans in the future.

It is unclear yet what the implications of the Government's White Paper proposals will have on viability in planning and plan-making. This is principally due to the fact that the White Paper is, to all intents and purposes, silent on key viability issues that this Insight has highlighted. What does clearly have the potential to have profound implications is the proposal to reform the current system of developer contributions from CIL and Section 106 towards a national flat-rate 'Infrastructure Levy'. More recent (February 2021) messaging, however, from the Chief Planner Joanna Averley among others, would suggest that the proposal could be tempered to allow for 'regional differences' and to develop a more nuanced and localised approach¹⁶. In this context, it seems likely that the White Paper proposals will not signal the end of the current system of Section 106 and that the viability considerations we have assessed as part of this Insight will continue to apply.

¹⁶<https://www.planningresource.co.uk/article/1706515/key-white-paper-proposals-likely-evolve-inclusion-planning-bill>

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Appendix 3: St Helens LPEVA – Keppie Massie Standard Build Cost Assumptions

St Helens LPEVA - KM Standard Build Costs

Greenfield 30 dph

Total Units	5	10	25	50	75	100	200
Base Build	£690.57	£694.77	£702.65	£699.01	£701.55	£701.55	£701.55
Prelims	£173.31	£128.91	£107.07	£105.30	£94.28	£98.99	£66.55
Ext Works	£234.87	£255.32	£264.49	£267.51	£264.08	£264.08	£264.08
POS	£0.00	£10.11	£17.78	£15.33	£24.78	£27.62	£27.62
Abnormals	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Scale	£86.82	£61.47	£25.88	£18.54	£0.00	-£18.06	-£17.53
Total (£ psm)	£1,186	£1,151	£1,118	£1,106	£1,085	£1,074	£1,042

Total Standard Build (£ psm)	£1,186	£1,140	£1,100	£1,090	£1,060	£1,047	£1,015
Total Standard Build (£ psf)	£110	£106	£102	£101	£98	£97	£94

Greenfield 40 dph

Total Units	5	10	25	50	75	100	200
Base Build	£690.57	£694.77	£702.65	£698.69	£701.55	£701.55	£701.55
Prelims	£173.31	£128.91	£107.22	£105.23	£94.28	£98.99	£66.55
Ext Works	£217.39	£236.76	£244.85	£247.47	£244.47	£244.47	£244.47
POS	£0.00	£10.11	£16.01	£21.55	£8.86	£22.32	£22.32
Abnormals	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Scale	£85.43	£60.42	£25.11	£20.22	£0.00	-£17.65	-£17.11
Total (£ psm)	£1,167	£1,131	£1,096	£1,093	£1,049	£1,050	£1,018

Total Standard Build (£ psm)	£1,167	£1,121	£1,080	£1,072	£1,040	£1,027	£995
Total Standard Build (£ psf)	£108	£104	£100	£100	£97	£95	£92

Appendix 4: BCIS Average Prices – St Helens Q3 2018

£/m2 study

Description: Rate per m2 gross internal floor area for the building Cost including prelims.

Last updated: 20-Nov-2021 00:40

› Rebased to 3Q 2018 (327; sample 90) and St Helens (100; sample 31)

Maximum age of results: 5 years

Building function (Maximum age of projects)	£/m ² gross internal floor area						Sample
	Mean	Lowest	Lower quartiles	Median	Upper quartiles	Highest	
New build							
810. Housing, mixed developments (5)	1,217	692	1,085	1,198	1,316	2,675	396
810.1 Estate housing							
Generally (5)	1,231	681	1,046	1,170	1,337	4,371	235
Single storey (5)	1,429	835	1,070	1,350	1,571	4,371	49
2-storey (5)	1,167	681	1,027	1,138	1,266	1,989	181
3-storey (5)	1,476	1,182	-	1,450	-	1,824	4
4-storey or above (5)	2,143	-	-	-	-	-	1
810.11 Estate housing detached (5)	2,311	1,027	1,642	1,989	2,525	4,371	5
810.12 Estate housing semi detached							
Generally (5)	1,208	746	1,055	1,198	1,308	2,197	54
Single storey (5)	1,293	976	1,056	1,230	1,445	2,197	21
2-storey (5)	1,154	746	1,055	1,160	1,256	1,878	33
810.13 Estate housing terraced							
Generally (5)	1,283	818	1,052	1,247	1,379	1,824	22
Single storey (5)	1,738	-	-	-	-	-	1
2-storey (5)	1,211	818	1,045	1,204	1,346	1,714	19
3-storey (5)	1,649	-	-	-	-	-	1
816. Flats (apartments)							
Generally (5)	1,398	790	1,151	1,303	1,594	3,102	208
1-2 storey (5)	1,366	873	1,120	1,264	1,646	2,000	49
3-5 storey (5)	1,386	790	1,153	1,293	1,558	3,102	133
6 storey or above (5)	1,521	1,089	1,275	1,513	1,683	2,194	26



Appendix 6: BCIS Note: COVID-19 Adjustments – June 2020



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Adjusting BCIS data for the effects of COVID-19

BCIS Price and Cost data is based on historic projects and data collection and in some circumstances will need to be adjusted in the short term for the effect of the COVID-19 Lockdown on prices.

The Lockdown has three potential affects:

- Productivity: changes in productivity resulting from the implementation of site operating procedures (SOP).
- Preliminaries:
 - Lengthening due to extended contract periods
 - Thickening due to increased cost of supervision for SOP, increased welfare, PPE etc.
- Market conditions: reduced demand, reduced availability of resources, increased overheads

For estimates based on the BCIS £/m² data (**Average prices and Analyses**), such as order of cost estimates, reinstatement cost estimates and depreciated replacement cost estimates, users should consider including an adjustment for the COVID-19 impact. The Construction Leadership Council (CLC) will be issuing guidance on the issues to be considered.

The changes in pricing level resulting from changes in productivity will eventually be reflected in the **Tender Price Index** and forecasts so users should beware of double counting.

The changes in productivity will not be reflected in the **BCIS Cost indices** (General Building Cost Index, etc.) however, changes in cost of materials due social distancing, etc. requirements in the factory will be. The cost indices are based on factory gate prices and increases in costs from merchants resulting from shortages should be adjusted for in market conditions.

For estimates based on our unit rate data (Schedules of Rates and Pricebooks) an adjustment should be considered. If it is to be updated by the TPI forecasts these will reflect our assumptions, if the forecast of our cost indices is used, they will not.

Price Adjustment Formulae Indices (PAFI), These will not reflect the changes in productivity resulting from the SOP, etc. On existing fluctuating contracts where indexed inflation adjustment clauses apply any impact of the SOP, etc will need to be accounted for separately, again the CLC guidance covers this.

The BCIS residential reinstatement models are adjusted using the House Rebuilding Cost Index and BCIS will be making adjustments to this index to allow for additional rebuilding costs.

Subscribers should use their professional judgement in making adjustments.

BCIS have been collecting evidence on the impact of the SOP, etc. on productivity via its surveys and will issue this through its online services.

We are reviewing all products/services to identify calculators or adjustments to reflect implications COVID-19.

BCIS Data	Adjustment required for productivity	Adjustment required for preliminaries	Adjustment required for Market conditions
Average prices	Short term*	Short term*	Short term*
Analyses	Short term*	Short term*	Short term*
Tender price indices and forecasts	Short term*	Short term*	Short term*
Cost indices and forecasts	Yes	No	Material shortages
Unit rates	Yes	No	No
House rebuilding costs for insurance	No	No	No

*Short Term: adjustment required to currently available prices until new data and forecasts are published.

If subscribers have any data on the impact of the SOP on their project BCIS would be eager to discuss it. data@bcis.co.uk



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Appendix 7: BCIS Note: COVID-19 Adjustments – July 2020



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BCIS Price Indices and COVID-19

BCIS publishes several groups of price indices for a variety of applications. The following is a brief description of the extent to which COVID-19 changes will be reflected in these series and how the price measurement will be affected.

BCIS Tender Price Indices

The BCIS All-in Tender Price Index will continue to measure the price level of tenders for building work reflecting changes in tender prices brought about by the COVID-19 pandemic.

BCIS is continuing to index projects for this index, but the flow of available schemes has slowed significantly. In March 2020 BCIS introduced an improved method for calculating the TPI where few projects are available, based on a simple econometric model. The historic relationships that this model relies upon will not hold during the economic shock caused by COVID-19. BCIS is therefore pausing the use of the model for quarters 1Q2020 onwards until further notice and will rely on the output from the BCIS TPI Panel to determine the TPI until such a time as sufficient projects are available for indexing or alternative approaches are available.

The sector indices will also be affected to the extent that many index figures will be missing and all will be less reliable than before.

BCIS Output Price Indices

As a result of the COVID-19 pandemic the BCIS Output Price Indices (OPI) will no longer accurately reflect the price of projects on site. BCIS are receiving fewer projects for indexing which reduces the reliability of the index. In addition, many projects will have extended construction periods meaning that their prices will be 'work on site' for longer than anticipated by the OPI calculation. BCIS recommends particular caution when using these indices from 1Q2020 onwards.

BCIS Regional Tender Price Indices

The BCIS Regional Tender Price Indices will continue to estimate the price level of tenders for building work in different parts of the UK reflecting changes in tender prices brought about by the COVID-19 pandemic.

As a result of the COVID-19 pandemic it is likely that the indices will be less responsive to regional changes than before because fewer projects are available to measure price levels. The underlying national trend will continue to reflect the BCIS All-in TPI which will temporarily be based on output from the BCIS TPI Panel.

BCIS Trade Price Indices

The BCIS Trade Price Indices will continue to attempt to measure the price level of trades in tenders for building work but the reduced number of projects available for indexing brought about by the COVID-19 pandemic means that index figures will be missing or less reliable than before.

Tender Price Indices (formerly BIS)

Extension of PUBSEC Tender Price Index of Public Sector Building Non-Housing

PUBSEC will continue to measure the price level of tenders for building work reflecting changes in tender prices brought about by the COVID-19 pandemic.

The index will continue to be calculated as a smoothed version of the BCIS All-in TPI. Due to reduced availability of projects for indexing, this index will rely on output from the BCIS TPI Panel from 1Q2020 onwards.

ROADCON Tender Price Index of Road Construction

ROADCON will continue to measure the price level of tenders for road construction projects reflecting changes in tender prices brought about by the COVID-19 pandemic as far as possible.

The anticipated reduction in the number of projects for indexing means that BCIS will increasingly rely on judgement to interpret the project indices that are available while the industry is affected by the COVID-19 pandemic.



BCIS Online

BCIS Online is a 12 month online subscription tool. Prepare cost plans, provide early cost advice to clients and benchmark costs for both commercial and residential buildings

BCIS Review Online

This tool helps you provide insurance reinstatement cost assessments, early cost advice, development appraisals or valuations based on current construction prices

Public Sector Price and Cost Indices

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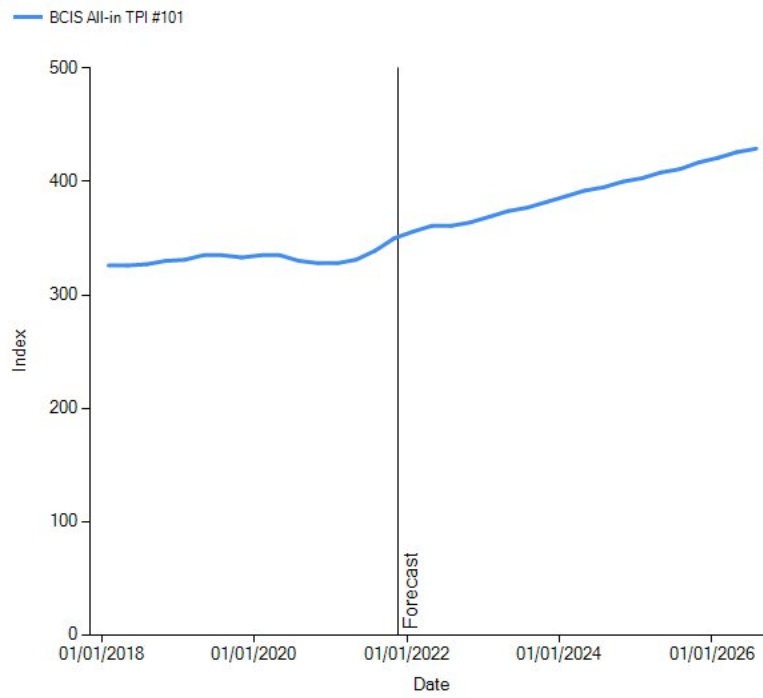
Appendix 8: BCIS All-In TPI

BCIS All-in TPI #101

Base date: 1985 mean = 100 | Updated: 05-Nov-2021 | #101

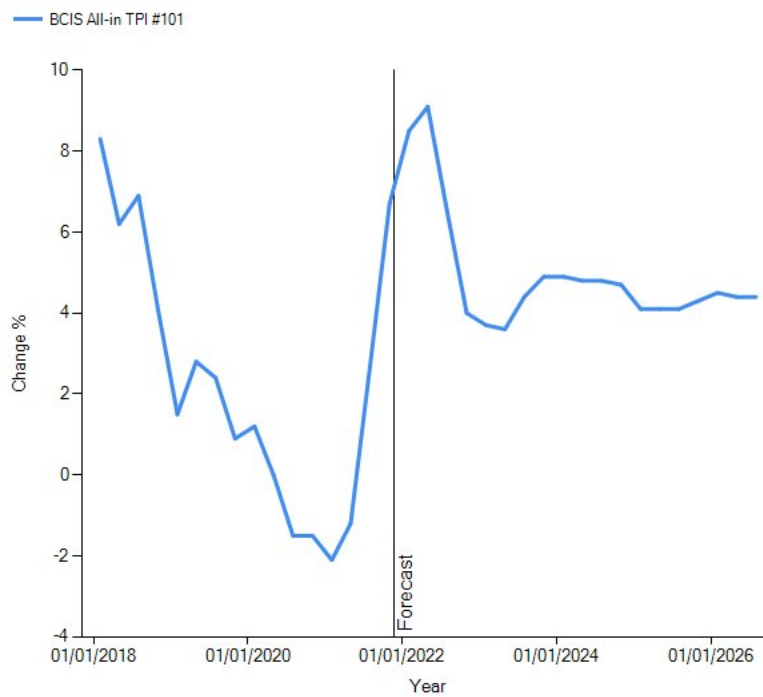
Date	Index	Equivalent sample	Percentage change		
			On year	On quarter	On month
1Q 2018	326	98	8.3%	2.8%	
2Q 2018	326	94	6.2%	0.0%	
3Q 2018	327	90	6.9%	0.3%	
4Q 2018	330	85	4.1%	0.9%	
1Q 2019	331	74	1.5%	0.3%	
2Q 2019	335	66	2.8%	1.2%	
3Q 2019	335	62	2.4%	0.0%	
4Q 2019	333	56	0.9%	-0.6%	
1Q 2020	335	Provisional	1.2%	0.6%	
2Q 2020	335	Provisional	0.0%	0.0%	
3Q 2020	330	Provisional	-1.5%	-1.5%	
4Q 2020	328	Provisional	-1.5%	-0.6%	
1Q 2021	328	Provisional	-2.1%	0.0%	
2Q 2021	331	Provisional	-1.2%	0.9%	
3Q 2021	339	Provisional	2.7%	2.4%	
4Q 2021	350	Forecast	6.7%	3.2%	
1Q 2022	356	Forecast	8.5%	1.7%	
2Q 2022	361	Forecast	9.1%	1.4%	
3Q 2022	361	Forecast	6.5%	0.0%	
4Q 2022	364	Forecast	4.0%	0.8%	
1Q 2023	369	Forecast	3.7%	1.4%	
2Q 2023	374	Forecast	3.6%	1.4%	
3Q 2023	377	Forecast	4.4%	0.8%	
4Q 2023	382	Forecast	4.9%	1.3%	
1Q 2024	387	Forecast	4.9%	1.3%	
2Q 2024	392	Forecast	4.8%	1.3%	
3Q 2024	395	Forecast	4.8%	0.8%	
4Q 2024	400	Forecast	4.7%	1.3%	
1Q 2025	403	Forecast	4.1%	0.8%	
2Q 2025	408	Forecast	4.1%	1.2%	
3Q 2025	411	Forecast	4.1%	0.7%	
4Q 2025	417	Forecast	4.3%	1.5%	
1Q 2026	421	Forecast	4.5%	1.0%	
2Q 2026	426	Forecast	4.4%	1.2%	
3Q 2026	429	Forecast	4.4%	0.7%	

Index value over time



Percentage change over time

Percentage change: Year on year





Appendix 10: BCIS Five Year Forecast (October 2021)



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BCIS five-year forecast - OCT 21

Tender prices are expected to rise steeply over the next year with sharp rises in materials costs and site labour rates, together with strong demand. Tender prices continue to rise faster than costs over the remainder of the forecast period, with prices rising by 27% over the whole of the forecast period (3Q2021 to 3Q2026).

Materials prices rose by 6.3% in 3rd quarter 2021 on a quarterly basis and by 16.9% compared with a year earlier. The materials supply difficulties are expected to stabilise by 3rd quarter 2022 and prices will rise by 15% over the forecast period (3Q2021 to 3Q2026).

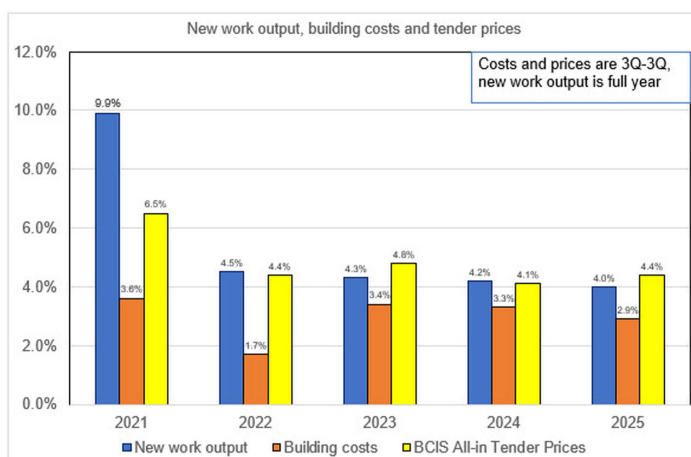
Although promulgated labour rate increases have been in the order of 2% to 3% in 2021, site rates have risen sharply, rising by 10% in 3rd quarter 2021 compared with a year earlier, according to the Hays/BCIS All-in Site Wage Cost Index. This will be reflected in the BCIS Market Conditions Index, putting upward pressure on tender prices. These shortages may take over from materials shortages as the major factor affecting costs.

The BCIS General Building Cost Index rose by 4.2% in 3rd quarter 2021 compared with the previous quarter, and by 9.1% compared with a year earlier. Costs will rise by 16% over the forecast period (3Q2021 to 3Q2026).

Total new work output increased by 4% in 2nd quarter 2021 compared with the previous quarter and by 56% compared with a year earlier. New construction output will rise by 30% over the forecast period (2025 compared with 2020). This increase is exaggerated by the pandemic induced 16% fall in 2020.

The full forecast and commentary are published in the Briefing section of the BCIS Online service.

Figure 1. New work output, building costs and tender prices



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Appendix 11: Anonymised Abnormal Costs Schedule – Example Sites

Abnormal / Extra Over Costs Tracker - Anonymised

Local Authority	Greenfield / Brownfield	Units	Abnormals / Extra Over Costs Per Net Acre	Abnormals / Extra Over Costs Per Plot	Date
0 - 99 Units					
Halton	Greenfield	43	£482,000	£36,000	Aug-19
Blackburn	Greenfield	47	£293,000	£21,000	May-21
Wyre	Greenfield	57	£252,000	£20,000	Jul-21
Preston	Greenfield	66	£380,000	£30,000	May-20
Preston	Greenfield	75	£131,000	£14,000	Apr-18
Cheshire West and Chester	Brownfield	98	£462,000	£30,000	Aug-20
Preston	Greenfield	98	£132,000	£11,000	Nov-19
Average		69	£304,571	£23,143	
100 - 249 Units					
Liverpool	Greenfield	100	£315,000	£52,000	Jan-19
Burnley	Greenfield	101	£483,000	£28,000	Apr-21
Wirral	Brownfield	101	£389,000	£27,000	May-21
Poulton	Greenfield	102	£453,000	£35,000	Aug-19
Wirral	Brownfield	109	£317,000	£21,000	May-21
Wirral	Brownfield	119	£476,000	£29,000	May-21
Cheshire East	Greenfield	120	£120,000	£8,000	Mar-18
Wirral	Brownfield	121	£415,000	£25,000	May-21
Blackburn	Brownfield	140	£122,000	£7,000	Nov-17
Cheshire East	Greenfield	146	£223,000	£17,000	Feb-19
Carlisle	Part Greenfield, Part Brownfield	148	£149,000	£13,000	Nov-20
Knowsley	Brownfield and Greenfield	162	£256,000	£15,000	Jan-21
Carlisle	Part Greenfield, Part Brownfield	164	£313,000	£19,000	Nov-20
Cheshire West and Chester	Brownfield	184	£287,000	£15,000	Jul-20
South Ribble	Brownfield	197	-	£31,000	Sep-18
South Ribble	Brownfield	199	£168,000	£12,000	Apr-18
Chorley	Greenfield	201	£392,000	£31,000	Jul-21
Cheshire West and Chester	Brownfield	205	£406,000	£19,000	Sep-19
Knowsley	Brownfield	227	£267,000	£19,000	Aug-20
Manchester	Brownfield	236	£410,000	£26,000	Nov-20
Halton	Greenfield	245	£300,000	£24,000	Dec-18
Average		158	£313,050	£22,524	
251 - 550 Units					
St Helens	Brownfield	260	£451,000	£28,000	Jun-20
Halton	Greenfield	271	£276,000	£19,000	Dec-18
Cheshire West and Chester	Greenfield	272	£458,000	£36,000	Jan-19
Knowsley	Greenfield	328	-	£29,000	Mar-20
Halton	Greenfield	334	£251,000	£12,000	Dec-18
Ribble Valley	Greenfield	426	£347,000	£24,000	Feb-20
South Ribble	Greenfield	493	£218,000	£16,000	Jun-19
South Ribble	Greenfield	501	£255,000	£18,000	Jun-19
South Ribble	Greenfield	528	£276,000	£19,000	Jun-19
Average		379	£316,500	£22,333	
551+ Units					
Cheshire East	Greenfield	784	£223,000	£15,000	Oct-20
Average		784	£223,000	£15,000	
Overall Average		211	£309,667	£22,395	

Source: C&W Internal Database based on Housebuilder and Cost Consultant Data

Appendix 12: Land Registry New Build HPI – St Helens

Land Registry HPI St Helens - March 2018 to February 2021

Name	Period	Sales volume New build	Average price New build
St Helens	2018-03	26	£191,670
St Helens	2018-04	19	£190,821
St Helens	2018-05	18	£187,315
St Helens	2018-06	37	£187,021
St Helens	2018-07	14	£189,097
St Helens	2018-08	15	£188,880
St Helens	2018-09	21	£189,583
St Helens	2018-10	25	£191,600
St Helens	2018-11	27	£191,547
St Helens	2018-12	39	£192,585
St Helens	2019-01	8	£189,526
St Helens	2019-02	17	£194,239
St Helens	2019-03	27	£194,933
St Helens	2019-04	42	£196,573
St Helens	2019-05	35	£193,924
St Helens	2019-06	55	£192,128
St Helens	2019-07	21	£193,472
St Helens	2019-08	30	£196,542
St Helens	2019-09	42	£200,020
St Helens	2019-10	36	£200,277
St Helens	2019-11	34	£195,938
St Helens	2019-12	45	£194,252
St Helens	2020-01	17	£195,689
St Helens	2020-02	27	£198,479
St Helens	2020-03	28	£198,767
St Helens	2020-04	4	£202,689
St Helens	2020-05	11	£204,945
St Helens	2020-06	12	£205,403
St Helens	2020-07	21	£205,991
St Helens	2020-08	12	£209,134
St Helens	2020-09	23	£212,413
St Helens	2020-10	17	£212,271
St Helens	2020-11	14	£210,156
St Helens	2020-12	14	£210,142
St Helens	2021-01	13	£209,451
St Helens	2021-02	9	£213,685

11.49%

Appendix 13: Market Commentary (BuiltPlace, June 2021)

Market Commentary

Residential Analysts

United Kingdom – June 2021

- Rampant House Price Growth
- Weighting and Wondering
- First Time Buyer Squeeze

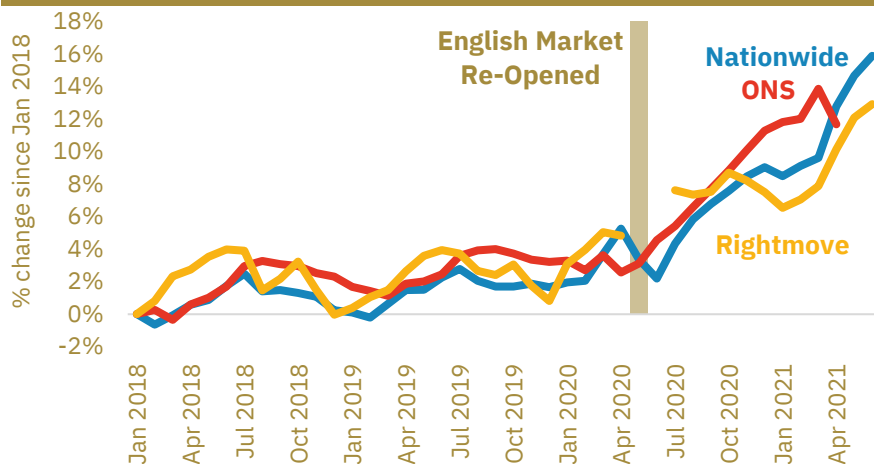
House prices are still rising rapidly and market activity is higher than pre-pandemic levels. But the temporary cuts to property transaction taxes have now ended or are in the process of being tapered off. This should bring greater clarity on the drivers of the current housing boom but it appears the higher than normal levels of market activity and rampant house price growth could continue past their end. However, there are some issues with the house price growth rates currently being reported that could mean price growth is lower than they suggest. Meanwhile, new data provides further detail on the squeeze that has been facing first time buyers since the pandemic started.

Rampant House Price Growth

House prices are rising rapidly and each month brings news of new record highs. The Nationwide index reported an annual house price rise of 13.4% in June while the ONS reported annual growth of 8.9% for April. Rightmove's index was suspended this time last year but it too is reporting rapidly rising prices. As Fig 1 shows, after two years of relatively low house price growth through to the end of 2019, the pandemic has set off a housing boom. We've explored the possible drivers of the current boom in previous commentaries (e.g. [April 2021](#)) and the end of the temporary property transaction tax cuts (Wales & Scotland) and tapering off (England & Northern Ireland) will bring further clarity on how much of a role they have had in driving the current boom. Meanwhile, evidence suggests activity is continuing at higher than normal levels, even for those that will miss out on the tax cuts. For

Fig 1: Change in UK House Price Indices Since Jan 2018

Source: Rightmove, Nationwide, ONS



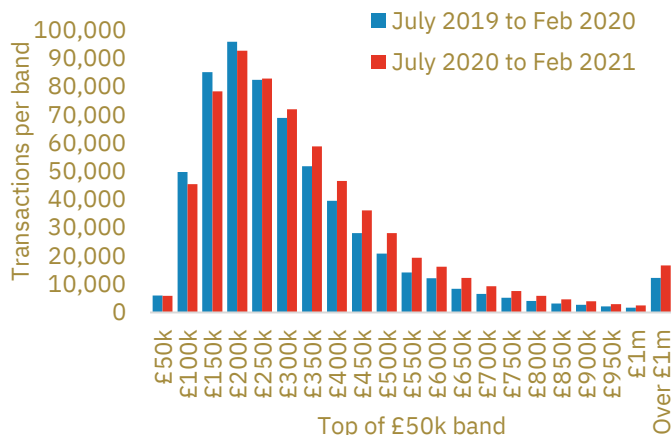
example, Rightmove reported that sales agreed in May were 17% higher than the same month in 2019. They also reported the number of sales agreed on homes priced over £500k was 49% higher. It is increasingly clear that, along with [evidence](#) of international housing booms, the pandemic and resulting economic conditions has led to a upwards revaluation of housing independent of the tax cuts. However, only time will tell how much of that revaluation is possibly temporary (e.g. low interest rates & government support) and how much is permanent (e.g. the capitalisation of commuting costs into house prices).

Weighting and Wondering

It is clear that there is a housing boom but the image presented by some of the house price indices is murkier than might initially appear. For example, we estimate that around 4 percentage points of the 13.4% annual growth reported by Nationwide in June is due to negative valuer sentiment last year. Meanwhile, we've previously [reported](#) on the challenges faced by ONS due to the lag in Land Registry registrations. Another possibly important factor is that all the above mentioned indices are weighted by transaction volumes. As Fig 2 shows, there's been a big shift towards higher value transactions since last summer which could lead to higher reported house price growth. Meanwhile, the Zoopla index is stock rather than transaction weighted and reported annual house price growth of 4.7% in May.

Fig 2: Sales by Price Band, England

Source: HM Land Registry, HMRC



Top of £50k band

Over £1m

Market Commentary

First Time Buyer Squeeze

Prospective first time buyers have been hit hard by the pandemic, economic fallout, credit crunch, and current housing boom. Until now there was limited public information on what had happened to them during the pandemic. But thanks to new data released by the FCA this week, we now have a much better understanding of what has happened. This section looks in more detail at some of the trends highlighted by the FCA data and other sources since the pandemic hit. There is more analysis of the FCA data in our Digging Deeper [slide deck](#).

The FCA data shows mortgage completions by first time buyers had recovered at a similar rate to mortgaged movers in the summer and autumn of 2020. However, since Nov 2020, their numbers have stayed high but not experienced the further growth seen by mortgage movers. Our estimates suggest this gap widened in Q1 2021. This situation raises two inter-linked questions: How have first time buyer numbers recovered to pre-pandemic levels despite the challenges they face but why have they not grown to the same levels as mortgage movers.

Fig 3: Monthly Mortgage Sales by Borrower Type

Source: FCA PSD, FCA/BoE MLAR, & ONS Regulated Mortgage Survey

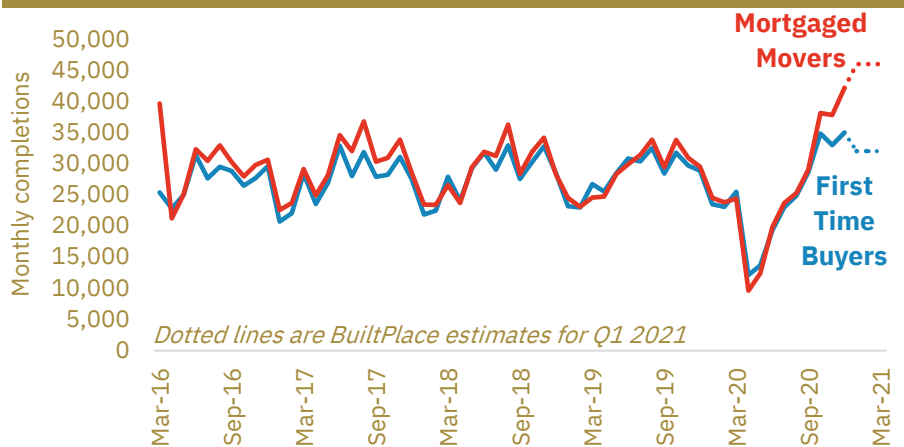
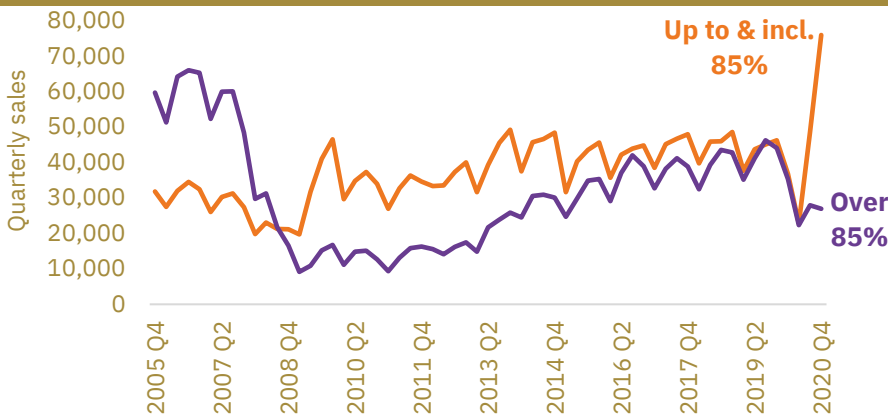


Fig 4: Quarterly First Time Buyer Sales by LTV Band

Source: FCA PSD

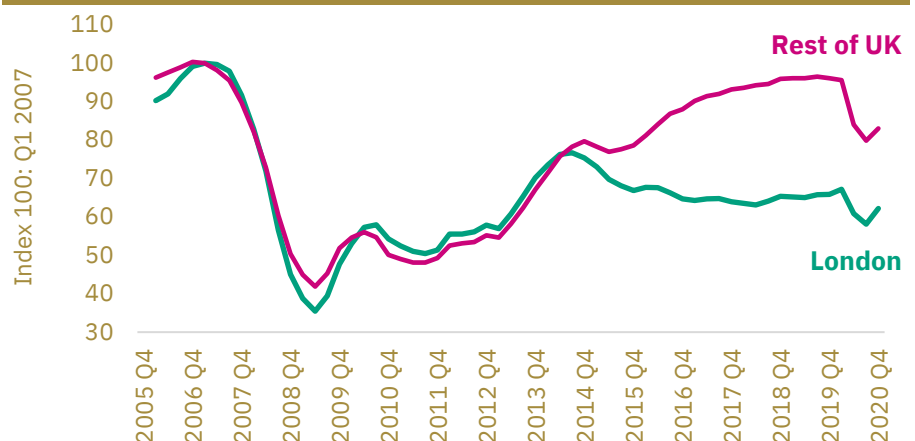


The answer to the questions lies in the balancing act between market activity and affordability. As Fig 4 shows, the credit crunch dramatically reduced sales at higher LTV ratios which should've reduced activity. But, possibly thanks to the unique circumstances of the pandemic, the fall in first time buyer sales above 85% LTV was more than compensated for by the rise in sales with LTVs of up to 85%. It is not yet clear if this was thanks to first time buyers able to increase their deposit and bring down their LTV or the housing boom bringing in new borrowers with higher deposits.

Given the wider trend in rising household savings, it's possible that many prospective first time buyers saved enough during lockdown to make up the difference. However [ONS](#) data shows the average income of a first time buyer has risen rapidly since the pandemic which suggests a change in who is buying. Irrespective of which is correct (a bit of both), the total number in both groups will be limited. Therefore, the recovery in the higher LTV mortgage market will be essential. Meanwhile, as Fig 5 shows, there are some markets where the balance between affordability and first time buyer activity is more finely balanced at much lower numbers.

Fig 5: Annual First Time Buyer Sales by Region, Indexed

Source: FCA PSD

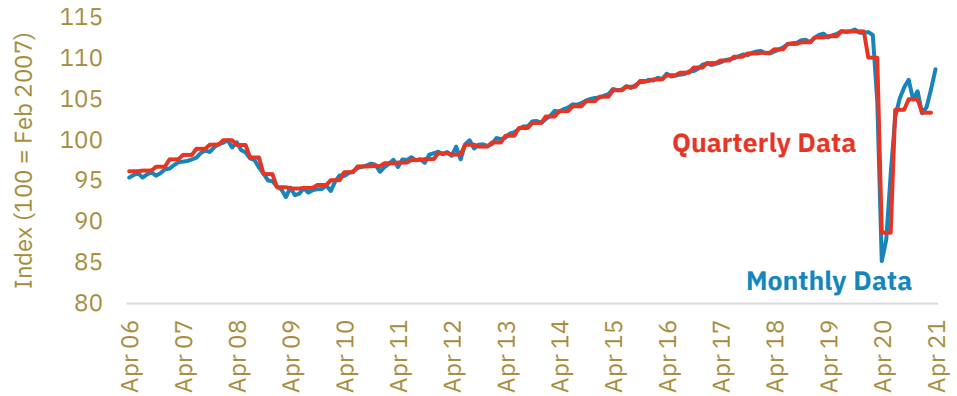


Market Commentary

Market At A Glance

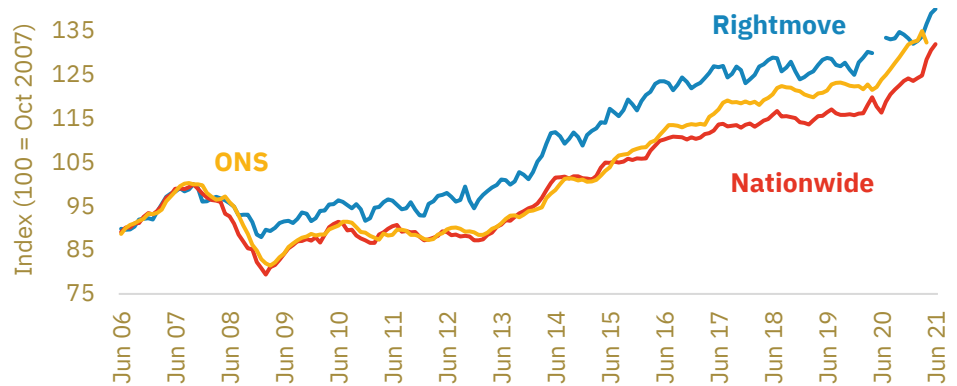
Economy - UK

The ONS reported a 2.3% monthly rise in GDP during April though the economy is still 4.0% smaller than January 2020. The second estimate of GDP for Q1 2021 reported a 1.6% fall in the quarter (prev. -1.5%) though this reflects the lockdown in January and February. This data will almost certainly be revised in coming months and years.



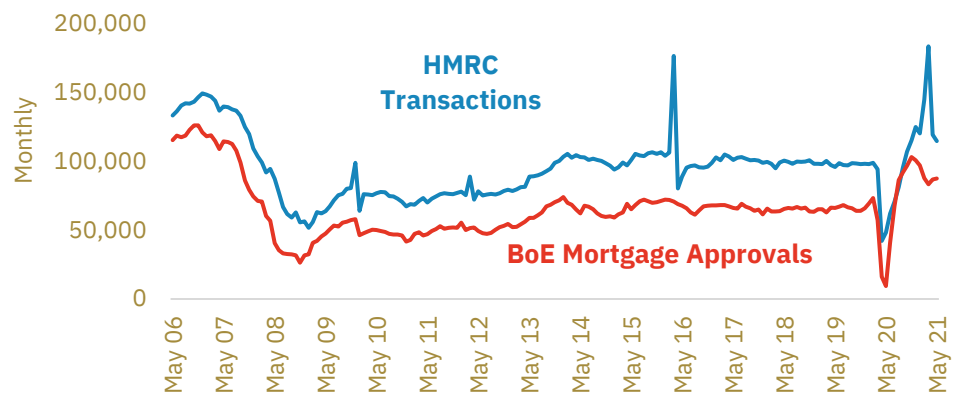
House Prices - UK

Rightmove reported another record high in asking prices in June. We are unable to calculate annual growth as their index was suspended last year. Nationwide index reported a 13.4% annual rise in their mortgage approval based index over the same period and the ONS is reporting growth of 8.9% in the year to April 2021.



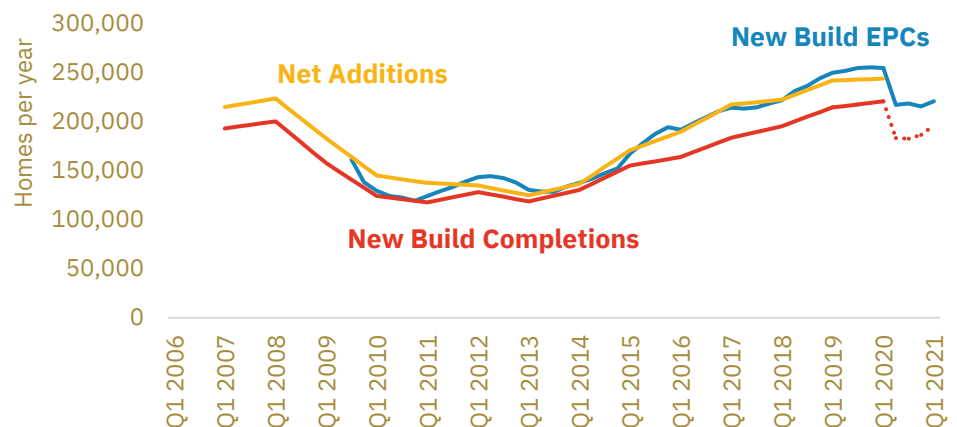
Transactions - UK

HMRC provisionally reported 114,940 transactions in May, a 4% fall compared to last month. However, they were still 16% higher than the 2013-19 average. Meanwhile, the Bank of England reported a small rise (0.7%) in mortgage approvals for house purchase in May when compared to the previous month.



New Supply - England

There are [issues](#) with MHCLG's quarterly data though we have used it to suggest the potential path of completions (dotted line). The best leading indicator for supply is Energy Performance Certificates (EPCs) for new build homes with data for Q1 2021 showing a return to normal levels and total new build EPCs of 221,000 in 2020/21.



Appendix 14: Industrial Land Comparable Evidence

Industrial Land Transactions

Site	Area (Acres)	Purchase Price (£ / £ per acre)		Date
M6 Epic, Wigan	3	£999,000	£333,000	Q4 2017
Land at 42 Randles Road, Knowsley	2.3	£410,000	£178,261	Q2 2018
Land at Hertford Street, St Helens	2.52	£500,000	£198,413	Q3 2018
Hurricane Rd, Estuary Business Park, Liverpool Airport	3.6	£1,080,000	£300,000	Q3 2018
Roundwood Drive, Sherdley Industrial Estate	0.35	£100,000	£285,714	Q3 2018
Plot H2a, Estuary Commerce Park, Liverpool Airport	6.7	£1,400,000	£208,955	Q3 2018
De Havilland Drive, Liverpool International Business Park	2.5	£750,000	£300,000	Q3 2018
Land at The Old Sugar Works, Junction Lane, Newton-le-Willows	3.8	£600,000	£157,895	Q4 2018
Plot 2, De Havilland Drive, Liverpool International Business Park	3.8	£1,140,000	£300,000	Q1 2019
Evans Road, New Venture Park, Speke	2.05	£420,000	£204,878	Q2 2019
Cables Way, Prescot	11.49	£1,500,000	£130,548	Q4 2019
Former Wheathills Riding Centre, Naylors Road, Liverpool	2.37	£1,000,000	£421,941	Q2 2020
Port Cheshire, Ellesmere Port	42.5	-	£250,000	Q4 2020
Average	6.69	£824,917	£222,549	

Sources: CoStar, Rightmove, C&W Internal Database. Please note this data has not been verified through the Land Registry.

Appendix 15: Terms of Engagement

25 October 2021

Our Ref: DRN/HG/kjm/211JUS00

Brigid Edwards
Taylor Wimpey Strategic Land
1 Lumsdale Road
Stretford
Manchester
M32 0UT

Dear Brigid,

Emerging St Helens Local Plan, Bold Forest Garden Suburb, St Helens and Gartons Lane, St Helens

We are pleased that you have requested Cushman & Wakefield to provide you with a fee proposal in relation to the above matter. The schedule to this letter details the services we will provide, the basis of our appointment, our fees and anticipated expenses, together with other information relevant to our services (the "**Services Schedule**" and together with this letter, the "**Engagement Letter**").

Enclosed are our standard terms of business containing exclusions and limitations on our liability and detailing our respective obligations (the "**Terms of Business**") which, together with the Engagement Letter, comprise the terms of our engagement (the "**Engagement**"). Please take a moment to check that you are happy with the contents of the Engagement Letter, the Services Schedule and the Terms of Business and understand the basis of the Engagement.

I will have overall responsibility for the provision of our services to you, assisted by Hannah Gradwell, MRICS and such other professional staff as it may be appropriate for us to involve. Hannah will be your first point of contact on this matter.

Market conditions explanatory note: Novel Coronavirus (COVID-19)

The outbreak of COVID-19, declared by the World Health Organisation as a "Global Pandemic" on the 11th March 2020, has and continues to impact many aspects of daily life and the global economy – with some real estate markets having experienced lower levels of transactional activity and liquidity. Travel, movement and operational restrictions have been implemented by many countries.

We continue to be faced with an unprecedented set of circumstances caused by COVID-19 and an absence of relevant/sufficient market evidence on which to base our judgements. Our advice is provided subject to this material uncertainty and a higher degree of caution should be attached to our advice than would normally be the case.

This explanatory note is included to ensure transparency and to provide further insight as to the market context under which our advice has been prepared. In recognition of the potential for market conditions to move rapidly in response to changes in the control or future spread of COVID-19 we highlight the importance of the date on which this advice is provided.

Should you wish to instruct Cushman and Wakefield on this matter, I would be grateful if you would return a signed and dated a copy of the Engagement Letter as soon as possible to confirm that you accept the basis of the Engagement. Please be aware that your continuing instructions in relation to this matter will amount to your acceptance of the terms of the Engagement. If there is any matter that requires clarification, please do not hesitate to contact me.

Yours faithfully,



Derek Nesbitt, MRICS APAEWE

Partner

RICS Registered Valuer

For and on behalf of Cushman & Wakefield Debenham Tie Leung Limited

Direct: +44 (0)161 455 3790

Mobile: +44 (0)7747 008426

derek.nesbitt@cushwake.com

Acceptance of Cushman & Wakefield Engagement Letter and Terms of Business

I have read the Engagement Letter (including the Services Schedule and incorporating the Cushman & Wakefield Terms of Business (Version 3.2 – April 2021) and hereby accept the terms and confirm this Engagement.

Brigid Edwards
Strategic Land and Planning Manager
For and on behalf of Taylor Wimpey Strategic Land

Date: _____

Please complete the Customer Information Form overleaf \.....

CUSTOMER INFORMATION FORM
COMPANY & VAT INFORMATION

Company or Entity:			
LLP	<input type="checkbox"/>	PLC – Listed	<input type="checkbox"/>
Local Central Government	<input type="checkbox"/>	PLC – Not Listed	<input type="checkbox"/>
Limited	<input checked="" type="checkbox"/>	Private Individual	<input type="checkbox"/>
Overseas Registered Company	<input type="checkbox"/>	Private Unlimited Company	<input type="checkbox"/>
Partnership	<input type="checkbox"/>	Registered Charity	<input type="checkbox"/>
Pension Scheme		Sole Trader	<input type="checkbox"/>
		Trust	<input type="checkbox"/>

Full Trading Name: Taylor Wimpey UK Limited

Company Registration No:

VAT No:

Company Registered Address:

Contact Name:

Contact Telephone No. & Email Address:

ACCOUNTS PAYABLE INFORMATION

Address (including postcode):

Contact Name:

Contact Telephone No. & Email Address:

Purchase Order Number (if applicable):

SPECIFIC BILLING INSTRUCTIONS *(Please use this section to identify any specific billing requirements):*

Services Schedule – Consultancy

Type of Instructions:	Financial Viability Assessment ('FVA')
Property Details:	Emerging St Helens Local Plan, Bold Forest Garden Suburb, St Helens and Gartons Lane, St Helens (" Properties ")
Client Instructions:	<p>The Client has instructed C&W to:</p> <ul style="list-style-type: none"> (a) Provide an independent analysis of the viability-related work undertaken to date on behalf of Taylor Wimpey in respect of the emerging St Helens Local Plan and advice on additional work which may be useful to present to the Inspector during the current Examination period; (b) Prepare representations to the anticipated St Helens Local Plan Main Modifications consultation focusing on the viability evidence (if required); and (c) Provide an FVA for planning purposes to form part of the Client's planning submission to the Local Planning Authority ('LPA') for negotiation of affordable housing and other planning obligations from the proposed development at the Property (Bold Forest Garden Suburb and/or Gartons Lane) (if required).
Scope of Services:	<p>Included in the Services are:</p> <ul style="list-style-type: none"> a) Independent analysis of the viability-related work undertaken to date on behalf of Taylor Wimpey in respect of the emerging St Helens Local Plan and advice on additional work which may be useful to present to the Inspector during the current Examination period; b) Representations to the anticipated St Helens Local Plan Main Modifications consultation focusing on the viability evidence (if required); and c) Financial Viability Appraisal of the proposed development and Written FVA Report for Bold Forest Garden Suburb and/or Gartons Lane (if required). <p>The FVA(s) will be prepared for planning purposes as part of the Client's justification for the appropriate level of affordable housing provision and other planning obligations that can be viably supported by the proposed scheme.</p> <p>The FVA(s) will be prepared in line with all relevant national and RICS guidance, including the National Planning Policy Framework, the Planning Practice Guidance for Viability and the RICS Professional Statement <i>Financial Viability in Planning: Conduct and Reporting</i> (2019).</p> <p>In preparing the FVA(s), C&W will:</p> <ul style="list-style-type: none"> a) Undertake an external inspection of the Property and relevant desktop due diligence; b) Review the proposed scheme and information provided by the Client to include the proposed site layout plans and accommodation schedule; c) Undertake market research to inform our assessment of potentially achievable sales revenues for the proposed scheme. The COVID-19 pandemic is disrupting macro and micro real estate markets and the impact on residential markets cannot be fully evaluated at this stage. We will monitor residential market activity and we reserve the right to amend our assessment of achievable sales revenues once the impact upon the real estate market can be accurately assessed. d) Review the cost information provided by the Client, to include cost information relating to the standard build costs and/or the abnormal development costs. It is assumed that the provided cost information is correct and can be relied upon for the purposes of the FVA(s). e) If C&W are required to assess the standard build costs, the assessment will be based on BCIS data in accordance with the PPGV. We do anticipate fluctuations in BCIS figures in the short term as the impact of the COVID-19 pandemic continues to filter through to BCIS sample data.

We will therefore monitor BCIS data in collaboration with our cost consultancy colleagues to identify any outliers that may distort build costs in order to ensure the assumed build costs fall within reasonable parameters. We reserve the right to amend build costs to ensure a consistent approach.

- f) Prepare a financial viability appraisal for the proposed scheme to assess the residual land value based on a policy compliant position;
- g) Measure the residual land value output against our assessment of Benchmark Land Value;
- h) If the first appraisal indicates that the proposed scheme cannot viably support full policy requirements, we will prepare a further appraisal to assess the level of affordable housing and other planning obligations which the proposed scheme could viably support, consistent with the latest viability guidance and precedents from relevant appeal cases;
- i) Prepare a draft FVA report for Client review; and
- j) Finalise the report for submission to the LPA.

Excluded from the Services are:

- a) Negotiations with the LPAs appointed viability consultant, submission of response(s) and counter-response(s) to the LPAs FVA review and additional viability appraisals as required. An additional fee based on our hourly rates would be agreed for any further work.
- b) Making any enquiries of local or any other authorities or any investigation of title relating to a Property;
- c) Investigation of the history of a Property or adjoining properties or establishing the possibility of the existence or contamination of, in or near, a Property;
- d) Management of a Property, including without limitation, any security, insurance, maintenance or repair arrangements;
- e) Making any structural survey or testing any services at a Property; and
- f) The provision of formal valuation advice (any information provided by C&W in respect of a potential rent or premium is not intended to be, and will not represent, any formal opinion of value). For the avoidance of doubt, C&W confirms that the FVA(s) and the advice provided do not constitute a formal valuation. The FVA(s) will be prepared having regard to the requirements of PS 1 and PS 2 of the current RICS Valuation – Global Standards (the “Red Book”). However, the FVA(s) and the advice provided constitute an exception from valuation technical and performance standards (‘VPS’) 1 – 5 of the Red Book. The FVA(s) are for the purposes of assessing the viability of the planning application proposals only to inform the applicant’s negotiations with the LPA regarding levels of affordable housing and other planning contributions. The viability advice that will be detailed will be dependent on the adequacy and accuracy of the information supplied and the assumptions made. It should be noted that should any provided information and/or assumptions prove to be incorrect; the accuracy of C&W’s advice will be affected.

Application of the Red Book and Related RICS Guidance

The RICS guidance note *Assessing Viability in Planning Under the NPPF 2019 For England* (March 2021) confirms that FVAs are not valuations as such, but contain significant valuation content which are within the jurisdiction of the Red Book and other RICS mandatory statements / professional guidance. All RICS members carrying out FVAs must therefore adhere to these provisions.

The RICS guidance note further advises that all FVAs for planning purposes are carried out under the NPPF / PPGV which is regarded as the ‘authoritative requirement’ in the Red Book. This means that the government’s technical requirements on the assessment of viability take precedence over any other RICS professional statements and guidance, including any valuation-based requirements in the PPGV which take precedence over any other valuation basis or approach set out in the standards, however Red Book professional standards still apply.

	<p>RICS members undertaking FVAs for planning purposes must therefore adhere to:</p> <ul style="list-style-type: none"> • Statutory and other authoritative requirements (including the NPPF and the PPGV); • The RICS Professional Statement <i>Financial Viability in Planning: Conduct and Reporting</i>; and • PS 1 and PS 2 of the Red Book. <p>We confirm that we will comply with these requirements in preparing the FVA for planning purposes.</p> <p>With regards to PS 1 and PS 2 of the Red Book, we acknowledge in summary the following points of compliance in respect of the FVA(s):</p> <ul style="list-style-type: none"> • The FVA(s) will be prepared for assessing the viability of development to assist with planning matters, either plan/policy making, or decision taking. The FVA(s) therefore constitute an exception from VPS 1 – 5 of the Red Book, and are not a formal valuation; • We confirm that all individuals who will contribute to the FVA(s) will act in accordance with the RICS Rules of Conduct and the RICS Global Professional and Ethical Standards; • We will have full regard to the need to act independently and objectively at all times, in a professional and ethical manner free from any undue influence, bias or conflict of interest; and • We collectively have sufficient professional qualifications, current knowledge of the relevant markets, and the experience, skills and understanding to undertake the FVA(s) competently. <p>In accordance with the requirements of PS 2 of the Red Book relating to disclosures where the public has an interest, we confirm that:</p> <ul style="list-style-type: none"> • <u>Relationship with client and previous involvement in this specific asset or mandate</u>: We have previously provided consultancy advice on behalf of the client and we have advised, and are currently advising, the client on representations to area-wide FVAs and site-specific FVAs in support of other planning applications for residential development. We confirm that we have no current, anticipated or previous recent involvement with the subject Properties. • <u>Rotation policy</u>: We do not have a rotation policy applied to the production of FVAs; • <u>Period of time as signatory</u>: We do not have a retained ongoing role with the client in performing FVAs. <p>The production of an FVA for planning purposes is excluded from VPS 1 – 5 of the Red Book under two of the identified exceptions; Performing a Statutory Function and Preparing to Act as an Expert Witness.</p>
<p>Conflicts of Interest</p>	<p>As outlined above, we have previously provided consultancy advice on behalf of the client and we have advised, and are currently advising, the client on representations to area-wide FVAs and site-specific FVAs in support of other planning applications for residential development. We confirm that we have no current, anticipated or previous recent involvement with the subject Properties.</p> <p>We do not consider that any conflict of interest, or risk of conflict of interest, arises as a result of the interests which we have disclosed. We therefore confirm that, to the best of our knowledge, no conflict of interest, or risk of conflict of interest, arises in preparing the advice requested.</p>
<p>Fees:</p>	

Termination Fees:	<p>Unless otherwise agreed with C&W in writing, a termination fee will be payable in the event that the instruction is terminated.</p> <p>The amount of any abortive fee would be representative of the quantum of work that had been undertaken to the point at which the instruction is terminated, having regard to the total fee that would have been due had the instruction proceeded through to completion.</p> <p>The Client will be liable to pay a proportion of the anticipated fee, depending on the stage the assignment has reached when terminated, by reference to the following scale.</p> <table border="1"> <thead> <tr> <th>Stage</th> <th>% of Fees</th> </tr> </thead> <tbody> <tr> <td>Gear up</td> <td>15%</td> </tr> <tr> <td>Inspection completed</td> <td>50%</td> </tr> <tr> <td>Initial findings issued</td> <td>75%</td> </tr> <tr> <td>Report issued in draft</td> <td>90%</td> </tr> <tr> <td>Report issued</td> <td>100%</td> </tr> </tbody> </table>	Stage	% of Fees	Gear up	15%	Inspection completed	50%	Initial findings issued	75%	Report issued in draft	90%	Report issued	100%
Stage	% of Fees												
Gear up	15%												
Inspection completed	50%												
Initial findings issued	75%												
Report issued in draft	90%												
Report issued	100%												
Anticipated Expenses:	Disbursements: to include travel costs, Promap plans, Land Registry downloads etc (as necessary / appropriate).												
Terms of Business:	Please see attached our Cushman & Wakefield Terms of Business (Version 3.2 – April 2021).												

RO1203

Sa

From: Hannah Miller <[REDACTED]>
Sent: 13 January 2022 10:27
To: planningpolicy@sthelens.gov.uk
Subject: Local plan

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

I am emailing to say that I support and agree with all the comments made by RAFFD (Residents Against the Florida Farm Development) and GRAG (Garswood Residents Action Group) in the document they have sent to you entitled "Comments on the proposed Main Modifications to the St Helens Local Plan".

Hannah Miller
47 Birch Grove
Garswood
Wigan
WN4 0QZ

RO1204

From: Andrew Miller <[REDACTED]>
Sent: 13 January 2022 10:39
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Hi

In regards to the recent local plan:

I am emailing to say that I have read, support and agree with all the comments made by RAFFD (Residents Against the Florida Farm Development) and GRAG (Garswood Residents Action Group) in the document they have sent to you entitled "Comments on the proposed Main Modifications to the St Helens Local Plan".

Regards,

Andrew Miller
47 Birch Grove
Garswood
Wigan
WN4 0QZ

RO1205

[REDACTED]

From: Pamela Milligan [REDACTED]
Sent: 10 January 2022 16:54
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan Main Modifications Consultation - Representation
Attachments: MainModsConsultSubPM100122.docx

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

Please find attached my representation regarding the above.

Yours faithfully

Pam Milligan

Representation by Pamela Milligan, Windle resident in respect of:
Local Plan Main Modifications Consultation

Please find following my representation comments in respect of the above.

MM06

4.6.11 – I am concerned that there is will be an oversupply of housing during the Local Plan period on the basis of ONS data for 2014/16 & 18 being set against the proposals by St Helens Council and all of its neighbouring authorities. Consequentially there will be an unnecessary and irreversible loss of Green Belt.

4.6.12 – I question the validity of the plan's premise to house local people in the anticipated housing developments. There is a lack of clarity around the delivery of social, affordable and special needs homes yet more detail suggesting the proliferation of larger family homes. Household size in the borough is 2.1 whilst national average is 2.3 yet our affordable housing targets have not been met in the last 10 years.

4.6.25 – I am concerned that the Local Plan purports to include open space and landscaping within developments as mitigation against climate change factors and to be commensurate with their Climate Change declaration. Clearly intensive building houses on Green Belt is in direct opposition to these pledges and will cause potential flood and pollution problems for existing residents living adjacent to such developments. 8HS is a significant example of the Council's failure to achieve a responsible balance. 8HS provides food security (Grade 1 & 2 agricultural land); offers a clean air buffer to the communities in Eccleston and Windle from the increasing pollution emanating from the A580 and serves residents for their continued physical and mental health and well-being. It comprises a flood zone and offers secure habitats for local and itinerant wild life.

4.6.29 – I am hopeful that the partnership with English Cities fund will be auspicious in the sense that the details of the urban regeneration will become increasingly focussed upon sustainable development which encompasses a greater emphasis on the planning and delivery of housing developments within closer proximity to each town centre's core transportation, health and education infrastructure (St Helens and Earlestown). There is a great need to revitalise these centres; to remediate and redevelop previously developed land which is languishing and continued failure to act positively merely fuels the self-perpetuating waste of precious Green Belt land.

MM09

I do not believe that the findings of the Green Belt Review produced an equitable summation of the characteristics of 8HS because this site fulfils 3 of the 5 purposes of Green Belt and therefore it should not be claimed that exceptional circumstances exist to permit removal of this plot from the Green Belt. Importantly the Main Mods document indicates that 8HS makes a high overall contribution to the purposes of Green Belt. The Review says it has a low contribution and I agree with the SHGBA argument (lodged by Kirkwells) that the SHBC exceptional circumstances argument is 'flawed'.

MM011 – Housing Supply

MM011 is linked to LPA06 which cites a housing target of **486** per year over a 15 year period (a figure derived from Annex 6 Main Mods, referencing changes to LPA05) but in fact this target is further attributed to the period 2037 – 2052, presumably to justify the rationale behind safeguarding Green Belt during this time. I do not believe this target to be sound in view of recent and current ONS housing need data and

both historical and current demographic analysis of our borough. However I now believe there is yet an even greater imperative to call a halt to the use of the over-inflated **486** specifically because a new Draft Housing Strategy is to be lodged before the council for approval on Wednesday 12th January 2022. (source: St Helens Star online 09.01.22). This is remarkably just 1 day before the close of this current consultation period. This Draft Strategy notably suggests that over a 10 year period 2020 – 2030, there is a projected 5% growth in households, lower than anticipated for the North West region overall, and equal to **407** per year, thus indicating that the Local Plan will produce an overbuild of **79** dwellings per year for 10 years.

**Should there not be precise parity between the Local Plan target and the Draft Housing Strategy target?
Contradictions of this magnitude must render the Local Plan housing target of 486 unsound.**

Safeguarding Green Belt, in the short and medium term will become unnecessary if the **407** target is adopted. In the longer term forecasting housing need will become less accurate but surely there is great opportunity to bolster the Brownfield First Policy/initiatives and drive an effective Contaminated Land Strategy by proactively accessing/securing national and regional government funding as a means to expedite urban regeneration whilst protecting Green Belt.

In the last 12 weeks the government has made numerous announcements regarding the use of brownfield sites. The Council says that if housing supply falls below stated need then they will “seek funding to unlock brownfield sites to boost housing supply”. Residents want to see a council that is proactively securing funds with a view to removing the swathes of previously developed land and gainfully remediating the contaminated plots. There is a Contaminated Land Inspection Strategy (CLIS) but woefully it has been my experience that both Councillors and Officers have failed to provide reasonable explanations and evidence to demonstrate that this is actually no more than a theoretical strategy which pretends to have the matter in hand. The processes by which this strategy might be fulfilled are elusive. If they do exist they have been shielded from public scrutiny and sadly because no heed has been taken of legitimate resident requests for information (which are in the public interest) it remains that over 6000 sites have been awaiting inspection since 2017.

I am aware of correspondence to ██████████ SHMBC (as late as 16.11.21), regarding Contaminated Land processes and the failure to respond is worrying at what should be a time of commitment to a vital facet in the Borough’s revitalisation. Would not a revised or re-profiled CLIS, together with operationally effective processes, sit comfortably with a new sustainable housing strategy? People rightly want a town free from ‘grot spots’ and one that can pride itself on having enviable stretches of open spaces and Green Belt. This can become a unique selling point for St Helens and is a sentiment voiced by Rishi Sunak, who having handed £300m more to the Metro Mayors and councils to unlock smaller brownfield sites for housing, said “I want to make sure everyone has green space on their door step...” Evidentially this was not a flash in the pan since the government announced a Brownfield Land Release fund on 12.10.21 and the non-allocated’ funds are being streamed through a bidding process. There are relevant funding pots in play and much could be gained from our relationships within the Liverpool City Region. Close by the Wirral are trailblazing by removing Green Belt from their Local Plan and presumably heeded a call by Boris Johnson (closing speech at the October Party Conference): “You can see how much room there is to build the homes that young families need in this country, not on green fields, not just jammed in the south-east, but beautiful homes on brownfield sites where homes make sense”.

So, the need to reclassify Green Belt to Safeguarded land could be entirely eliminated if the St Helens Council chooses to be equally bold and optimise its partnership and funding opportunities within the Liverpool City Region.

MM011 – Habitat Regulation Assessment (HRA) October 2021

This document states that 8HS is of importance to wildlife and suggests that development of this land will impact negatively on population. Accordingly the Council have put stricter requirements in place as per LPC06 and there would be need for a survey/s to determine the importance of site and whether it is significant supporting habitat. Residents use the Merseyside Biobank to lodge their sightings and are keen that these matters were not equitably noted in the Green Belt and Local Plan reviews. I would hope that by leaving 8HS as Green Belt that the worries regarding habitat and welfare could be eliminated.

MM012 – 8HS Access

An additional highlighted point suggesting access to/from the development to the strategic network would be 'as a last resort', yet the published 'developer plan/proposal' suggests a roundabout on the A580 at the precarious junction with Houghtons Lane. There is a contradiction in viability and again this brings into question the validity of the Green Belt Review, perhaps because such information was not considered.

MM026 – Proposed Nature Conservation Supplementary Planning Document (Oct 2020)

I am concerned that this remains in draft form and is likely to, or should contain information which is highly relevant to 8HS as a Green Belt parcel and equally that the document's draft status detracts from the validity of the plan.

Conclusion:

In view of all of the above matters and areas of concern my conclusion remains that there is no justified need to remove 8HS for development in the next 15 years nor should it be assigned as a Safeguarded plot for longer term development.

Pam Milligan
132 Bleak Hill Road
Windle
St Helens
WA10 6DN

10th January 2022

RO1206

[REDACTED]

From: Joe Milligan [REDACTED] >
Sent: 13 January 2022 13:10
To: planningpolicy@sthelens.gov.uk
Subject: Representation regarding Local Plan Main Modifications Consultation
Attachments: LocalPlanMMJM130122.docx

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Sir/Madam

Please find attached my representation/comments regarding the above.

Yours faithfully

Joseph Milligan
132 Bleak Hill Road
Windle
St Helens
WA10 6 DN

Local Plan Main Modifications Consultation Response by Joseph Milligan 13.01.22

My comments regarding the Main Modifications are as follows:

MM06

4.6.11 – I believe that there will be an oversupply of housing during plan due to St Helens Council and its neighbouring authorities' proposals. An unnecessary loss of Green Belt will result.

4.6.25 –The Local Plan claims an intention to include open space and landscaping within developments to mitigate climate change factors and comply with the Climate Change declaration. Development of Green Belt is contrary to this and will cause potential flood and pollution problems for existing residents, particularly adjacent to 8HS

4.6.29 – The partnership with English Cities fund should focus on sustainable development and include housing developments within closer proximity to vital infrastructure for St Helens and Earlestown. Remediation of previously developed land in the currently degraded urban areas will avoid waste of Green Belt land.

MM09

8HS because fulfils 3 of the 5 purposes of Green Belt so exceptional circumstances cannot be claimed for its removal from the Green Belt. The Main Mods document indicates that 8HS makes a high overall contribution to the purposes of Green Belt whilst the GB Review says it has a low contribution. I agree with the SHGBA argument (lodged by Kirkwells) that the SHBC exceptional circumstances argument is 'flawed'.

MM011 – Local Plan Housing Supply Target and Proposed New Housing Strategy (Jan 2022)

MM011 is linked to LPA06 indicating a housing target of **486** per year over a 15 year period and beyond to 2037 – 2052, presumably to justify safeguarding Green Belt. Demographic data and ONS housing need data shows this to be highly aspirational.

Additionally there is a new Draft Housing Strategy which has been brought before the council for approval (Wednesday 12th January 2022. (source: St Helens Star online 09.01.22). This Draft Strategy,(presented 1 day before the end of the Main Mods. Consultation) suggests that over a 10 year period 2020 – 2030, there is a projected 5% growth in households and equal to **407** per year, which would produce a Local Plan overbuild of **79** dwellings per year for 10 years.

Such disparity must be questioned and a clear decision made on the Housing Need. This revision to **407** must render the Local Plan unsound.

Safeguarding Green Belt, in the short and medium term will become unnecessary if the **407** target is adopted and longer term Brownfield First Policy projects can produce the results needed and enforce the protection of Green Belt. Government announced a Brownfield Land Release fund on 12.10.21 and the non-allocated funds are being streamed through a bidding process. Relevant funding pots are in play and much could be gained from our relationships within the Liverpool City

Region (LCR). However STHBC have a Contaminated Land Inspection Strategy (CLIS) – it is a strategy in name and now there needs to be transparency through documented processes and documented actions. Over 6000 sites have been awaiting inspection since 2017.

The need to reclassify Green Belt to Safeguarded land could be entirely eliminated if this happens.

MM011 – Habitat Regulation Assessment (HRA) October 2021

This document states that 8HS is of importance to wildlife and suggests that development of this land will impact negatively on population. By leaving 8HS as Green Belt habitat and welfare can be protected.

MM012 – 8HS Access

Modification suggests access to/from the development to the strategic network would be 'as a last resort', yet the 'developer plan' shows a roundabout on the A580/Houghtons Lane junction. This is a contradiction in viability bringing into question the validity of the Green Belt Review.

MM026 – Proposed Nature Conservation Supplementary Planning Document (Oct 2020)

This is still in draft form and on final may contain information pertinent to 8HS/Green Belt. The draft status detracts additionally detracts from the validity of the plan.

In conclusion therefore I do not consider there to be a justified need to remove 8HS for development in the next 15 years nor should it be designated as a Safeguarded plot for longer term development.

Submitted by:
Joe Milligan
132 Bleak Hill Road
Windle
St Helens
WA10 6DN

RO1219

From: Richard Mitten <[REDACTED]>
Sent: 13 January 2022 12:59
To: planningpolicy@sthelens.gov.uk
Subject: LOCAL PLAN

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Hi,

I am writing to say that I agree with the RAFDD & GRAG comments regarding the local plan.

My full name and address is: Richard Mitten, 131 Rectory Road, Ashton-in-Makerfield, Lancs WN4 0QF.

Regards

Rich

RO1244

From: Dan Ingram [REDACTED]
Sent: 11 January 2022 13:12
To: planningpolicy@sthelens.gov.uk
Cc: [REDACTED]
Subject: St Helens borough Local Plan 2020-2035 (Main Modifications) - Representations on Behalf of Miller Homes
Attachments: 27020.A3.DI.VR - St Helens Main Mods Reps - On Behalf of Miller (v3 FINAL MERGED) - 220107.pdf
Follow Up Flag: Follow up
Flag Status: Completed

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To whom it may concern,

On behalf of our Client, Miller Homes (representor ID: RO1244), please find attached representations in relation to the proposed Main Modifications to the St Helens borough Local Plan 2020-2035.

I would be grateful if you could please confirm safe receipt of the attached in due course.

Best regards.

Dan.

Dan Ingram
Senior Planner



W: www.bartonwillmore.co.uk
Tower 12
, 18/22 Bridge Street, Spinningfields



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St Helens Borough Local Plan 2020-2035 Main Modifications

Representations on Behalf of Miller Homes

Representor ID: RO1244

January 2022

St Helens Borough Local Plan 2020-2035
Main Modifications

Representations on Behalf of Miller Homes

Project Ref:	27020/A3/DI/VR	27020/A3/DI/VR	27020/A3/DI/VR
Status:	Draft	Draft	Final
Issue/Rev:	01	02	03
Date:	06 December 2021	06 January 2022	07 January 2022
Prepared by:	DI	DI	DI
Checked by:	VR	VR	VR/Client
Authorised by:			Client

Barton Willmore LLP
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M3 3BZ



Ref: 27020/A3/DI/VR
Date: January 2022

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1.0 INTRODUCTION

- 1.1 On behalf of our Client, Miller Homes, Barton Willmore is pleased to make further submissions in respect of the emerging St Helens Local Plan, and in light of the Main Modifications to said Plan, which were published for consultation in November 2021. The representations made here are to be read in conjunction with the previous comments made in March 2019 (Submission Draft) and in May 2020 (as part of the submitted hearing statements) respectively.
- 1.2 Our Client welcomes the continued progress that the Council has made in respect of the emerging Local Plan and is grateful for the opportunity to provide further input into its evolution.
- 1.3 Our Client has land interests at various locations throughout St Helens, but these representations relate to primarily to land interests at Rainford, part of which is a proposed housing allocation within the emerging Local Plan, assigned site reference 8HA, the remainder of which is located to between Rookery Lane and Pasture Lane in Rainford, and has previously been considered under site reference GBS_080.
- 1.4 Representations have been made throughout the preparation of the emerging Local Plan in support of both 8HA and GBS_080, and Barton Willmore appeared at the Hearing Sessions informing the Examination.
- 1.5 In Section 2, these representations will comment on the Council's proposed changes made as part of the Main Modifications and whether these result in the emerging Local Plan being sound. Where they are not considered to do so, alternatives are suggested.

2.0 RESPONSE TO THE PROPOSED MAIN MODIFICATIONS

2.1 The following comments are ordered to correspond to the referencing system within the Main Modification Schedule.

2.2 In general, the Main Modifications suggested are supported as a means to move to the next stage of the Local Plan process and towards the delivery of much needed homes in St Helens.

MM001

2.3 It is agreed that the Plan Period should be amended to reflect a 15-year period from its likely adoption.

2.4 Our Client is pleased to see that the end date to the Local Plan period has been extended from 2035 to 2037, as indicated at MM001, in order to align with the requirements of the National Planning Policy Framework (NPPF) and to ensure that the Plan covers a minimum period of 15 years. This is a welcome change and one that ensures that the future development needs of the Borough can be appropriately planned for.

MM002

2.5 Similarly, our Client also welcomes the proposed modifications identified at MM002, within which the Plan is amended to outline a commitment to a Local Plan review at least once every five years, in order to assess whether the Plan requires updating, and if so, providing suitable wording to ensure that action can be taken to update the Plan if deemed necessary.

2.6 Our Client considers that this is a key amendment to the emerging Plan in ensuring that it meets the development needs of the Borough, whilst also ensuring that it is flexible and adaptive to meet local needs throughout the Plan period. It is important to ensure, however, that the action indicated in the proposed changes to paragraph 1.9.1 also allow for the allocation of additional development sites, if this is deemed necessary. Our Client considers, therefore, that it would be prudent to ensure that the Council has a sufficient bank of safeguarded sites to ensure that any spike in demand or lack of supply can be addressed, but properly planned for, whilst also ensuring that additional sites can be submitted for consideration should they become available.

2.7 Notwithstanding the above, however, and in light of our Client's concerns surrounding the claimed housing land supply on adoption (discussed further below), we would urge the Council to consider a review of the Local Plan earlier than the 5 years currently suggested, given that the Council's housing land supply on adoption of the Plan is considered to be marginal at best. The margin in supply claimed by the Council, is so slim that a minor slippage, or lack of suitable buffer, could result in the lack of supply very early in the Plan period, and so an earlier review than currently proposed would be required in order to identify additional sites for allocation in order to meet market and affordable housing needs. If the Council will not consider additional sites at this stage (as elaborated on later within these representations), then the aforementioned earlier review will be necessary.

MM005

2.8 MM005 seeks the removal of Policy LPA01 – the Presumption in Favour of Sustainable Development in order to avoid duplication with the NPPF.

2.9 Our Client agrees with this approach which chimes with comments made within their earlier representations.

MM006

2.10 Reference to the delivery of compensatory improvements to land remaining in the Green Belt being considered on a site-by-site basis as part of the development management process is supported. Specifically, reference to compensatory improvements being provided in accordance with the provisions of the Bold Forest Park Area Action Plan.

2.11 In addition to the above, our Client also notes the extensive additions that have been made to the Plan with regard to justifying the release of land from the Green Belt, both in a strategic sense in providing the exceptional circumstances that demonstrate the approach underpinning the Plan, but also in a site-specific sense noting that each of the proposed allocations now benefits from similar justification. These additions are welcomed by our Client, in recognition that the Borough's development needs cannot be met on urban and brownfield sites alone, as set out within previous representations made by our Client, and that a change of approach is required if the Plan is to be sound and meet development needs sustainably.

MM009

- 2.12 In terms of the overall housing requirement, our Client notes that MM009 indicates the requirement is increased to 10,206 new dwellings over the Plan period, this uplift arising from the extension to the time horizon of the Plan. This uplift is correct when taking account of the annual requirement that the Council seeks to adopt (i.e. 486 dpa). Notwithstanding this however, our Client is disappointed that the Council has not sought to increase the overall requirement, and reiterates their previous comments to the effect that whilst the proposed requirement of 486 dpa represents a modest uplift on the OAN, it is not considered that the uplift truly aligns with the local housing need when taking account of both the previous rates of delivery and the economic circumstances of St Helens (and its relationship to the Liverpool City Region (LCR)). The Plan justifiably proposes a modest uplift in the housing requirement, but our Client considers that this uplift does not go far enough and would fail to deliver the economic prosperity and growth which underpin the Council's Vision. On this basis therefore, our Client does not consider the Plan to be positively prepared, in that it will fail to deliver the Council's Vision, and therefore fail to meet the needs of residents. We therefore maintain that the Plan is not sound in this respect.
- 2.13 Additionally, our Client would again reiterate that 486 dpa should be considered the **minimum** level of housing need in the context of other evidence concerning the growth of the LCR, and that the evidence provided by the Council led to the SHELMA determining housing need of **855 dpa** for St. Helens. This demonstrates that the proposed housing requirement of 486 dpa represents a very conservative, and constrained approach to economic-led housing growth. Evidence, as set out in previous representations, demonstrates that St Helens has consistently delivered **at least 100 dpa** more than the Local Plan is currently planning for, and indeed that there is a demand for such a scale of growth, giving clear market signals.
- 2.14 On this basis, our Client would urge the Council to reconsider its housing requirement and reconsider an uplift of circa **590 – 600 dpa**. Our Client considers that the retention of this conservative housing requirement serves to undo the otherwise positive work that has informed the preparation of the Plan to date.
- 2.15 Turning to matters of housing land supply, our Client notes that the Council is claiming that, upon adoption, there will be a supply equivalent to 5.1 years of housing land, as at 31st March 2021. Our Client welcomes the Council's clarification on this matter but notes that the claimed supply of 5.1 years is somewhat perilous, and whilst technically

satisfactory in terms of the requirements of the NPPF, it is clear that the supply of housing within the Borough is finely balanced at best and leaves little room for manoeuvre should any of the proposed allocations fail to deliver as envisaged (in terms of capacity and rate of delivery).

- 2.16 It is noted from Annex 8 of the proposed Main Modifications, that the alterations to the Plan do not include any new allocations, rather, the capacity of the existing allocations has been increased. Whilst in itself, this is an acceptable approach if sufficiently evidenced, this places increased pressure on these allocations to deliver in order for the Council to maintain a necessary supply. Our Client remains of the view that in order to be flexible, it would be appropriate to allocate additional sites to ensure that the supply is robust, in the event that the currently proposed allocations do not deliver as envisaged.
- 2.17 Our Client would also reiterate their previously cited concerns with a number of the proposed housing sites, as set out within Appendix 1 of their Matter 5 hearing statement. Whilst some of these concerns have been addressed through the Main Modifications, there remain a number of questions around some of the proposed sites, all of which could impact the Council's ability to demonstrate an appropriate housing land supply upon adoption. Given the marginal nature of the supply, as proposed by the Council, the slightest slip in delivery could undermine the ability to demonstrate an appropriate supply.
- 2.18 To illustrate this, the 5.1 year supply claimed by the Council comprises 2,388 dwellings. A 4.99 year supply (i.e. below 5 years), would consist of 2,335 dwellings. Therefore, there is only a margin of 53 dwellings between the Council's claimed supply, and said supply being insufficient. As a result, our Client maintains their position that additional sites should be allocated for development that can be delivered in the short term (the next five years), in order to bolster the supply, widen the margin and build much needed flexibility into the Plan, in the interests of its soundness.
- 2.19 In respect of our Client's land interest at Rookery Lane, Rainford, part of which falls within proposed housing allocation 8HA (GBS_079), our Client welcomes the Council's commentary on the Site, and the recognition that it performs poorly against the Green Belt purposes prescribed by the NPPF. Our Client also supports the Council's acknowledgement that the Site benefits from a high degree of visual containment and strong boundaries. The emphasis that Rainford is a Key Settlement is also supported,

noting that the future development of the land at Rookery Lane, Rainford, would align with the Plan's spatial strategy.

- 2.20 When coupling the performance of the Site against the Green Belt purposes prescribed by the NPPF, against the pressing need for new housing across the Borough, it is clear that the amended Plan provides the extensive justification required for the release of land from the Green Belt. Our Client welcomes, and is fully supportive of the approach that has been adopted in this respect.
- 2.21 Furthermore, our Client notes that the trajectory for the delivery of allocation 8HA has been amended, with completed dwellings anticipated for delivery a year earlier than previously stated, with first completions now envisaged for 2023/2024. It is envisaged that a full planning application for the residential development of the Site will be submitted in Q1 2022 and, therefore, it is possible that completions will take place in 2023/2024.
- 2.22 Notwithstanding this however, our Client would urge the Council to consider further sites for both allocation and future safeguarding, to ensure that any slump in the delivery and supply of housing can be quickly and appropriately addressed, capitalising on the flexibility and adaptability built into the Plan by proposed amendment MM001.

MM011

- 2.23 In a similar vein to the above, whilst it is welcomed that the Council has slightly increased the quantum of dwellings on land safeguarded for future development, by virtue of extending the boundaries to 4HS at Newton-le-Willows, our Client maintains their view that, in addition to additional housing allocations detailed above, the Council should also seek to identify additional sites for safeguarding for future development, beyond the Plan period. This is because the Council has demonstrated that exceptional circumstances exist to justify the review of the Green Belt, but the Plan does not go far enough in meeting needs beyond the Plan period, meaning that a further review is likely to be required prior to the commencement of the next Plan period, contrary to the provisions of paragraph 143 c) and e) of the NPPF.
- 2.24 Additional safeguarded sites would also assist to secure the Council's future housing supply. As discussed previously, the current housing supply positional is marginal, and could, in the event of a slump in delivery, result in safeguarded sites being delivered earlier than currently envisaged in order to address the related shortfall. This would

effectively result in a deficit of safeguarded land, and so the identification and allocation of additional safeguarded sites would assist in securing the Borough's future development needs beyond the Plan period. Our Client would urge the Council to take such steps, and would reiterate their previous comments that their additional land at Rainford (between Rookery Lane and Pasture Lane (GBS_080)), beyond proposed allocation 8HA would represent a suitable candidate for safeguarding, noting the site characteristics and the recognition of Rainford as a key, sustainable settlement, and evidence submitted to demonstrate that the site is free from constraints and is deliverable.

MM022

- 2.25 The correction of the affordable housing threshold to 10 or more homes is welcomed, as is the reference to First Homes.

Annexe 1

- 2.26 The additional site requirements for proposed allocation 8HA are noted, and accepted by our Client for the most part.
- 2.27 Our Client questions, however, the necessity of the flood attenuation feature along the boundary of the linear park, which is identified within Annexe 1 as extending to a minimum of 25 metres. This is because, in discussion with officers and the LLFA (in advance of a forthcoming planning application for the residential development of the Site), it has been established that the site can be suitably drained without the need for the 25 metre (minimum) easement that the draft policy seeks to require, this is because the management of surface water within the development will cause a reduction in the contributing catchment, and therefore a reduction in surface water flooding, and subsequently a reduced risk from flooding in the area overall. The evidence to this effect is enclosed at **Appendix 1** of these Representations.
- 2.28 This being the case, our Client does not consider that point 5 of the Site requirements of 8HA, as set out at Annexe 1, is necessary, and so would suggest that these are removed from the Policy. Its retention is considered to render the plan unsound in this respect, as the requirement for the 25 metre buffer is not justified.
- 2.29 Furthermore, our Client also wishes to highlight the ecological benefits the development of the Site could bring from its current form, and has commissioned an ecological note

from Ascerta to accompany these Representations. This is enclosed at **Appendix 2** and confirms that a continuous linear (straight line) wildlife corridor is not in keeping with the layout of the site, however with ecological enhancements and a developing design layout, the area offers increased habitat creation for species to move throughout the area and enhances the area for refuge and forage. With the creation of the attenuation feature and enhanced planting the corridor will support an increased variety species to the current habitat present to this section of the site.

3.0 SUMMARY AND CONCLUSIONS

- 3.1 The proposed Main Modifications are supported in general, and the progress made on the new Local Plan to date is welcomed by our Client.
- 3.2 However, there are a number of relatively minor amendments that are required to ensure that the policies are sound. These are listed in these representations. In addition, and notwithstanding the previous comments, our Client would urge the Council to reconsider its housing requirement for the Plan period, as well as seeking to allocate further land for housing to boost the housing land supply, and provide additional flexibility into the Plan in the event that proposed allocations do not deliver as envisaged.
- 3.3 Furthermore, our Client would reiterate their position that the requirement for proposed allocation 8HA to include a 25 metre buffer renders the plan unsound, as our Client has produced up-to-date evidence that there will be a reduced risk of flooding, meaning that said buffer is no longer required. The Council is urged to remove this requirement from the plan in lieu of the above.
- 3.4 Should you have any questions relating to the points raised in these representations please do contact Barton Willmore LLP.

APPENDIX 1

FLOOD RISK TECHNICAL NOTE, DECEMBER 2021

21st December 2021

Our Ref: - 680377 L01 FRA

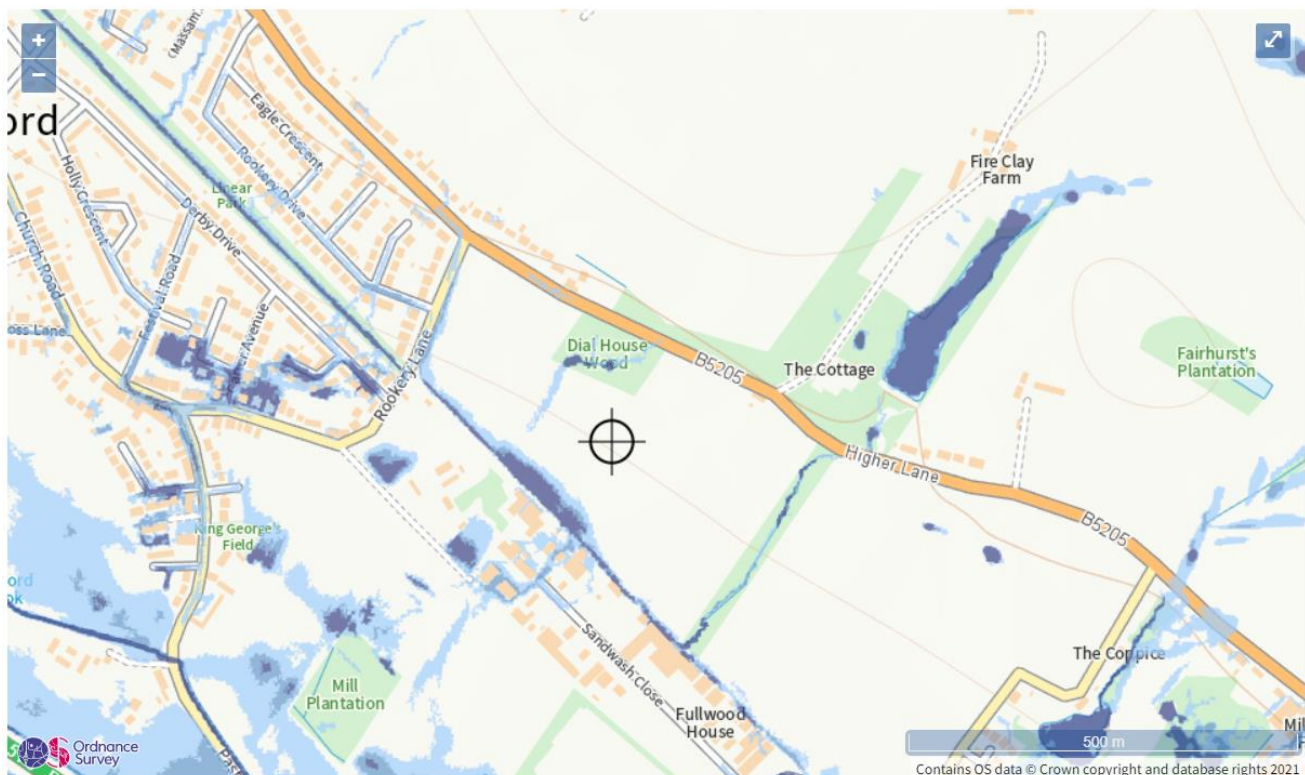
Miller Homes
103 Dalton Avenue,
Birchwood Park,
Warrington, WA3 6YF

FAO [REDACTED]

RE: 18046 - RAINFORD PRE APPLICATION – PROPOSED RESIDENTIAL DEVELOPMENT HIGHER LANE, RAINFORD

I refer to the initial pre-app discussions with St Helens Council in relation to the proposed development off Higher Lane, Rainford.

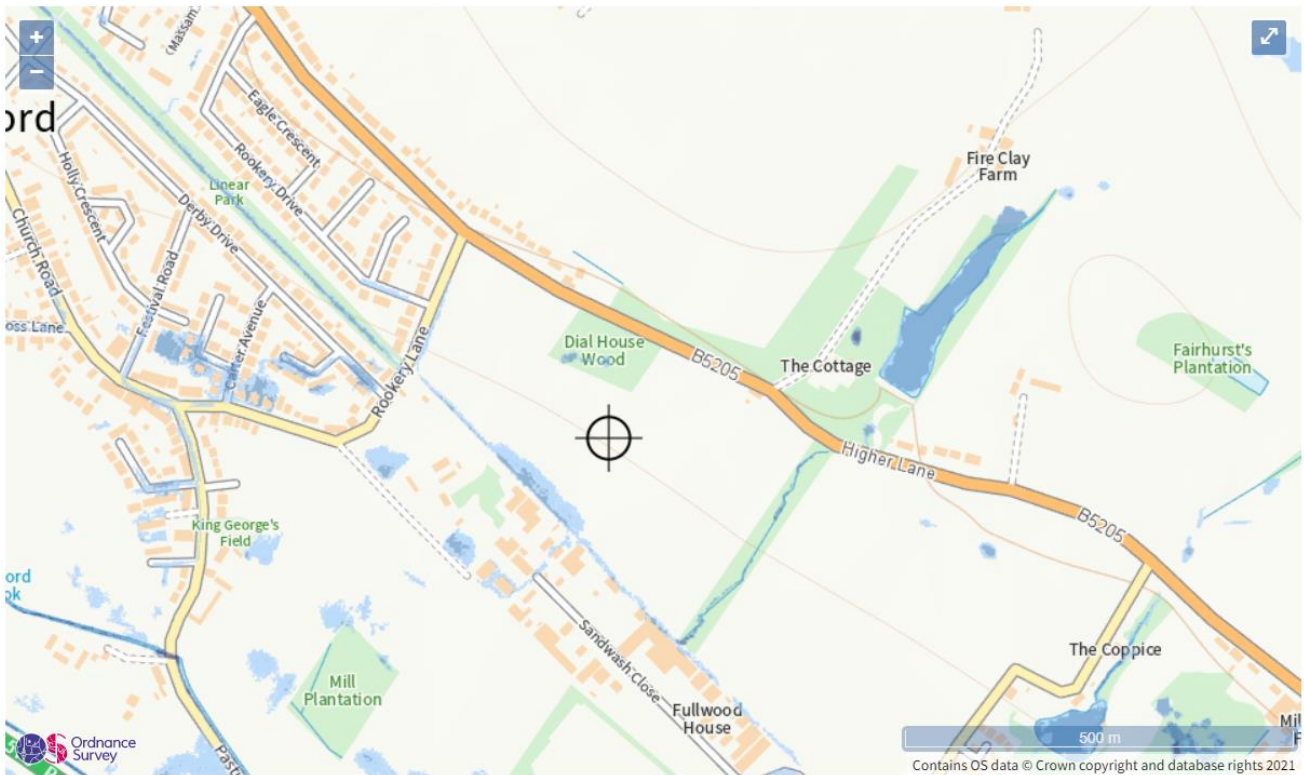
In this initial discussion concern has been raised about potential surface water flooding parallel to Rainford Linear Park. This area of flood risk has been identified from historic flooding in this area (2016) and from the Environment Agency flood risk from surface water maps – as below.



Extent of flooding from surface water

● High ● Medium ● Low ○ Very low ⊕ Location you selected

The image below shows the estimate depths during a 100 year rainfall event, it can be seen that typically in the area around the linear park, this is less than 300mm.



Surface water flood risk: water depth in a medium risk scenario
Flood depth (millimetres)

- Over 900mm
- 300 to 900mm
- Below 300mm
- Location you selected

Any precipitation falling on the site will be collected and managed within the proposed surface water drainage network. The site typically fall towards this linear park area when any overland flows may accumulate resulting in ponding water. With the management of the surface water within the development, there will be a reduction in the contributing catchment, thus a reduction in surface water flooding in this area. The drainage system will be designed to attenuate the 1 in 100 year (plus an allowance for climate change), the discharge rate from the attenuation feature will be limited to the QBAR greenfield rates, as such, any rainfall event in exceedance of the QBAR event (approx. 1 in 2 years) will result in a reduction in runoff from the site and therefore a reduction in the flood risk area shown on the surface water flood maps.

In addition, in the current situation there is no discharge point for water accumulating in this area, with the establishment of the proposed surface water drainage network, run off collected from the site will be discharged (at greenfield QBAR) off site, allowing this area to be better drained and not retain water.

Taking the above into account, the area shown to be at risk from surface water flooding is a worst case scenario and with the development of the site will be reduced, as such the requirement for an easement around this area can be equally reduced with the proposed SuDS features being located along this boundary. The location of the proposed SuDS basins as shown on the surface water drainage strategy aim to mimic the existing scenario and will continue to store water in the area as shown on the surface water flood maps. As well as the surface water system managing surface water flows, the additional freeboard in

[Higher Lane, Rainford]: 21st December 2021]

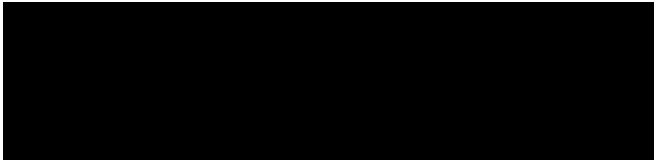
Our Ref: 680377-L01 FRA – Page 3 of 3



the basins will increase storage in the area. As a result there should no detrimental impact of the proposed scheme on the hydrology of the area.

We trust that the above meets with your approval but should you have any queries, please do not hesitate to contact the writer.

Yours sincerely,
For RSK LDE Limited



Colin Whittingham BSc (Hons) MSc MCIWEM C.WEM PIEMA

Associate Director

APPENDIX 2

ECOLOGICAL TECHNICAL NOTE, DECEMBER 2021

23rd December 2021

Our Ref: P.996.18

Johnathon Lowe
Miller Homes Ltd

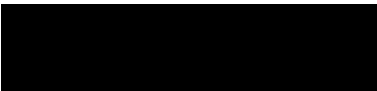
Dear Mr Lowe,

Re: Proposed 25m buffer from Rainford Linear Park

Currently the proposals indicate a wildlife corridor/buffer along the southwestern boundary, adjacent to Rainford Linear Park. The proposed habitat creation along the boundary will enhance the area from the predevelopment condition, as the proposed development site is used for annual agricultural crops which offers a low value to species. The proposals for the area currently comprise retained trees that line the pathway, an attenuation pond, wildflower planting and amenity grassland. The proposed wildlife corridor is varied in width along the boundary due to the design and layout of the site and to allow the creation of the attenuation feature, therefore providing increased connectivity throughout the area for species and preventing habitat fragmentation.

Further enhancements within the proposals can be subject to the finalised detailed layout for the development site, these will include increased woodland planting to the linear walkway boundary in order to provide a continuous tree canopy and larger woodland buffer as is in keeping with Dial House Wood to the north of the site and the woodland planting to the southeast of the site. The creation of a variety of habitats through increased and specific planting of a variety of species to create a woodland floor throughout the area, predominantly to the site boundary to allow species to commute along the linear route to surrounding habitats. Design alterations can also include the reduction of hard surfaces, such as turning points to allow increased planting within the area, providing increased connectivity throughout the site.

Due to the proposals a continuous linear (straight line) wildlife corridor is not in keeping with the layout of the site, however with ecological enhancements and a developing design layout, the area offers increased habitat creation for species to move throughout the area and enhances the area for refuge and forage. With the creation of the attenuation feature and enhanced planting the corridor will support an increased variety species to the current habitat present to this section of the site.



Liz Kenyon
Ascerta

RO1288

[REDACTED]

From: Steve Muskett [REDACTED]
Sent: 11 January 2022 21:32
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan Main Modifications
Attachments: St Helens Borough Local Plan Main Modifications Submission 2022.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Blue category

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Please find attached my submission in regard to the Main Modifications consultation.

I trust this document will be presented to the Inspectors as is and in its entirety.

Best regards,
Steve Muskett
12 Hamilton Road
Windle
WA10 6HG

St Helens Borough Local Plan 2020-2035 (Main Modifications)

Title: MR
First Name: STEVE
Last Name: MUSKETT
Address: 12 HAMILTON ROAD, WINDLE
Postcode: WA10 6HG
Email: [REDACTED]

11th January 2022

MM006

3. The re-use of suitable previously developed land in Key Settlements will remain a key priority. A substantial proportion of new housing throughout the Plan period will be on such sites. This will be encouraged through the use of Policies LPA08 and LPC02 to support the delivery of sites, particularly those on Previously Developed Land, by, for example, setting lower thresholds for developer contributions on previously developed sites to reflect the higher costs and lower sales values typically associated with redeveloping such sites, where appropriate.

Response

What does "suitable" mean?

Who determines the suitability?

How is the suitability determined?

If this is a "key priority", what is the mechanism for ensuring prioritisation?

Appears to be very vague for such a detailed and important plan?

It should not be forgotten that St Helens Council does not have a strategy for dealing with potentially Contaminated Land in the Borough. They have a document outlining the strategy but it is not one that they actively engage in or give any "key priority" too, having not identified any land as either contaminated or not contaminated since the document was first published in January 2017.

That strategy document includes a statement referring to "40 highest prioritised sites" and I submitted a FOI request asking for a list of these sites on 15th November 2021 to which I still await a response, far outside the 20 working day period a reply should be provided within.

That FOI request also refers to some 33 sites where "collation of data in progress" within the same strategy document, asking for a list of those 33 sites, and the data that must surely be collated by now?

2 facts are worrying here in regard to this MM and this "key priority" phrase used within it. The council do not appear to have any priority for PDL or Contaminated land. Nor do they give it any priority when a FOI is submitted and "In accordance with the Act, a response will be sent to you within 20 working days".

These are systemic failures within the council operating practices and as such, this main modification suggesting that "suitable" PDL will remain a "key priority" is doomed to failure.

I also understand that the Government has made available additional funding in order to bring PDL back in to use. It is also my understanding that St Helens Council has not applied for any of this new funding.

It does not surprise me that they have yet to apply for any funding, given their failure to identify any of the potentially contaminated land as either confirmed contaminated or not, since 2017.

I don't know the process for applying for access to that new funding but I can imagine that any such bid for a share would at the very least require a suitable piece of land to be identified and a very basic plan of what might be needed and by when, plus estimates of costs to achieve delivery.

Without a What, When, Who, & How Much outlined in its most basic form, any application for Government funds would surely not be successful and that is why it is no shock that they have yet to apply for any.

This further underlines the unsoundness of this MM because money has been made available, in order to protect Green Belt, and regenerate PDL and St Helens Council is not in a position to apply and do so.

It doesn't have "suitable" land identified and therefore how can it expect residents to believe it is, or will going forward, treat this land type as a "key priority"?

MM006

4.5. This Plan releases land from the Green Belt to enable the needs for housing and employment development to be met in full over the Plan period from 1 April 2020 until up to 31 March 2037~~5~~, in the most sustainable locations. Other land is removed from the Green Belt and safeguarded to allow for longer term housing and / or employment needs to be met after 31 March 2037~~5~~. Such Safeguarded Land is not allocated for development in the Plan period and planning permission for permanent development should only be granted following an update full review of this Plan. Within the remaining areas of Green Belt (shown on the Policies Map) new development shall be regarded as inappropriate unless it falls within one of the exceptions set out in the National Planning Policy Framework (or any successor document). Inappropriate development in the Green Belt shall not be approved except in very special circumstances. Delivery of compensatory improvement measures within areas remaining in the Green Belt will be required following any release of Green Belt land for development purposes. Details of such improvements will be considered during the development management process and assessed on an individual application basis.

Response

Nothing has changed from my previous objection that release of GB land is not required and this point reinforces that and is at direct odds with Point 3 previously commented on.

If the re-use of PDL is to be a key priority, then why the need to release land from GB and identify as safeguarded? What this says is that for the next 15 years, the council can plan to fail in prioritising re-use of PDL as they will have all this safeguarded land as a fall-back.

It clearly demonstrates to me that they plan to do nothing, in fact, have no plan for PDL to be a "key priority" at all. This plan should try to fix the systemic failures within council policy and (non) actions and spend the next 15 years prioritising PDL and contaminated land such that there is a vast library of sites to pick from and develop when 2037 comes.

If they had a library of sites now, they could have very quickly put together a bid for the additional Government funding that was announced late last year.

Instead by safeguarding land, they show their hand and basically admit they have no plan and plan to do nothing.

4.6.10 The Council's SHLAA indicates that there is capacity for substantial housing development on urban sites. However it also established that Green Belt release would be required to help meet identified housing needs over the Plan period. Likewise, there is a significant shortfall in the urban supply of employment land against the identified needs.

Response

Same response and objection to that of Point 5 above.

Green Belt Exceptional circumstances

4.18.23 The following paragraphs articulate the exceptional circumstances justifying the removal of land from the Green Belt on a site by site basis. This builds on the exceptional circumstances strategic case as set out in the Reasoned Justification to Policy LPA02, and the following should be read in that context.

8HS – Land South of A580 between Houghtons Lane and Crantock Grove, Windle

4.24.18 The Green Belt Review (2018) found the parcel of land that reflects this site boundary to make a 'low' overall contribution to the Green Belt, with a 'medium' development potential. The site comprises a significant Greenfield site that forms a sizeable outward extension of the urban area into the countryside. The site also has a number of technical issues which would need to be addressed prior to development, including required significant improvements to highways infrastructure and suitable ecological evidence in relation to the potential of the site to provide

functionally linked habitat for bird species, which may require a mitigation strategy. Such issues could take some time to address. Furthermore, given the scale of the site, some social infrastructure (such as a primary school) is likely to be required. There are further physical constraints in relation to the site, which could likely be addressed satisfactorily. On the basis of the above, this site provides the opportunity to meet longer term development needs, and safeguarding the site will provide sufficient time to address the identified issues.”

Response

The council actually demonstrate my argument for me here and show how unsound their approach and arguments are.

The choice of wording practically explains the purposes of Greenbelt.

They describe the site as a significant Greenfield one that is a sizeable outward extension of the urban area in to the countryside.

Purpose 3 of Green Belt is to assist in safeguarding the countryside from encroachment.

It would therefore also tick the box of Purpose 1, checking the sprawl of a large built up area.

And as previously mentioned, by having this site safeguarded and “in the back pocket” (so to speak), it would not ensure PDL and potentially contaminated land is a “key priority” and therefore assist in urban regeneration by encouraging the recycling of derelict land; or Purpose 5 of the Green Belt policy.

3 out of the 5 purposes satisfied, basically in the councils own words and therefore makes a mockery of the scoring as a low contributor to the purposes of Green Belt.

As I have stated in previous submissions, for me, it is clear that the council have started the process with sites they wanted to identify and have reverse engineered the documentation, reports and studies to make it appear it was a logical and forward moving process, when in fact it has been nothing of the sort.

Many sites have these same features, in both terms of contribution to Green Belt and development potential and yet have been scored differently so that they can be dismissed and removed from the process.

MM011

“4.18.4 ... Application of the national standard method using this approach would generate a housing need of ~~468~~ 424 new dwellings per annum”

Response

And yet on January 12th 2022 the Council Cabinet are being asked to approve a new housing strategy, which acknowledges that the household growth in St Helens is less than the North West generally and equates to 407 households per year?

How can the public believe this plan to be sound when the number fluctuates so much and only appears to be reducing? With growth so unpredictable, safeguarding land for the period 2037 to 2052 is not a sensible approach to take currently. Safeguarded Green Belt land should be removed from the plan at this time and a fresh eyes approach taken in 5 or 10 years time, especially with PDL apparently being a “key Priority” and the Government changing tact in order to protect our green spaces.

RO1292

From: Councillor Linda Mussell
Sent: 12 January 2022 12:55
To: planningpolicy@sthelens.gov.uk
Cc: Councillor Allan Jones; Councillor John Case
Subject: Local Plan

Dear team

This is my response to the final draft of the Local Plan.

From the first iteration of the Plan, nothing has been proposed by the Council to make me change my view and there is little within this final document to allay mine and residents' concerns. At the risk of repeating myself they fall into a number of areas:-

Site Selection:

- As representatives of the residents of Rainford we are not opposed to building houses in Rainford but they must be the right houses in the right place which this site does not meet.
- The area on Rookery Lane is grade 1 arable land yielding at least 3 crops per year.
- By the Councils own assessment it is flood plain protecting other areas of Sankey Valley and identified by Mersey Forrest to be prime for the inclusion in 'Slow the Flow' initiative.
- This is confirmed by the Councils own guidance to developers that flood management must be evident.
- We did offer an alternative sites where proposed but dismissed out of hand seemingly. These sites if considered seriously would have regenerated the north end of Ormskirk Rd.

Infrastructure

- 2 of the 3 primary schools in Rainford are oversubscribed accommodation of a additional families will not be easily meet without extending schools, where there is little room to do so. When raised with the planning inspector this was the only option put forward as solutions
- The 2 Doctors surgeries currently struggle to meet the needs of the residents. Given the fact in there is a national shortage of GP, often debated in scrutiny with the CCG. We can't turn a blind eye in the hope that it will 'sort itself out' it won't and will be catastrophic for the Rainford
- As already noted with officers and police Roads/parking etc are already at breaking point in the village, especially at school times.
- The increased amount of traffic it is questionable if country lanes and B roads can sustain, plus the view that public transport is the the preferred option is not something in reality and true option.

At a Council meetings over the last 12 months we have debated at length the need to ensure Council Policies meet own green criteria and WHO sustainability guidance agenda and accepted. whether it be vehicle use, air miles for food sources, farming, employment, access to countryside to aid mental health however with one fell swoop damages a all this in Rainford. Failure to recognise farming as employment nor contributing to local produce production. In simplistic terms is in my view hypocritical in the extreme.

The need for housing stock in St Helens is flawed at best but even if the evidence is there surely this can be meet using brownfield sites alone without removing land from greenbelt.

The Government's own policy guidance National Planning Policy Framework 2021

*140. Once established, Green Belt boundaries should only be altered **where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt***

boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans

*141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to **demonstrate that it has examined fully all other reasonable options for meeting its identified need for development.** This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:*

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground

Being part of this process from the beginning I am not confident that these tests have been applied and the Council have demonstrated exceptional circumstances can be clearly evidenced.

Cllr Linda Mussell

Rainford Ward

St Helens Borough

RO1298

[REDACTED]

From: Phil Neil <[REDACTED]>
Sent: 12 January 2022 20:12
To: planningpolicy@sthelens.gov.uk
Subject: P/2020/0791/HYEIA

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RE: St .Helens local plan main modification response of SHGBA
P/2020/0791/HYEIA

To whom it may concern

I would like to state that I agree with the contents of this report and I endorse the issues raised on behalf of SHGBA

Regards

P Neil
35 Honeybourne Dr
Whiston
L35 7NB

Get BlueMail for Android

RO1341

From: Christine O'Neill [REDACTED]
Sent: 07 January 2022 09:58
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan Main Modification Consultation

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Christine O'Neill
111 Alder Hey Road
Eccleston
St Helens
WA10 4DW

Thank you for keeping me updated by email on local planning proposals.

I fully support the issues raised on behalf of St Helens Green belt Association.

Christine O'Neill

Sent from [Mail](#) for Windows

RO1342

FROM : MARTIN N.OLLEY
19 VICARAGE DRIVE
HAYDOCK
WA11 OUG

TEL : [REDACTED]

4th JANUARY 2022

TO : ST HELENS BC
TOWN HALL
ST HELENS

DEAR SIRs,

RE : 2020-2035 LOCAL PLAN
LAND AT FLORIDA FARM SOUTH (SOUTH OF A580)

I VIEWED THIS PLAN AT THE LOCAL LIBRARY IN LATE NOVEMBER, AND WAS HORRIFIED AT WHAT I SAW.

LESS THAN THREE YEARS AGO THE COUNCIL WAS RESPONSIBLE FOR COMPLETELY DESTROYING ONE OF THE VERY FEW GREEN BELT FIELDS IN THE AREA (A LARGE FIELD WITH SOME LOVELY TREES AND GOOD FARMLAND AND A HAVEN FOR WILDLIFE) TO ENABLE THE BUILDING OF YET MORE HUGE, UGLY WAREHOUSES (NOW IN SITU), WITH THE RESULTANT INCREASE IN LIGHT & NOISE POLLUTION AND LOTS MORE TRAFFIC ON ROADS WHICH ARE NOW HARDLY COPING AT BUSY TIMES. I AM REFERRING TO THE BUSY A580 ROAD (MORE LIKE THE M6 THESE DAYS) AND THE REGULAR CLOGGING UP OF TRAFFIC TRYING TO NEGOTIATE HAYDOCK ISLAND (A580 / M6 INTERCHANGE). THE JUSTIFICATION FOR BUILDING THE WAREHOUSES WAS THAT SOME 2,500 JOBS WOULD BE CREATED (DOWNGRADED FROM AN ORIGINAL FIGURE OF 5,000!!), BUT I AM WILLING TO WAGER THAT THE ACTUAL FIGURE IS NEARER 250! AN ENQUIRY OF THE COUNCIL AS TO HOW MANY JOBS HAVE BEEN CREATED HAS MET WITH NO RESPONSE (THE TYPICAL COUNCIL DEFAULT POSITION - AFTER ALL WE OUT HERE ARE JUST THE "SCUM" WHO PAY RATES!)

AS IF ALL THIS WAS NOT ENOUGH, THE COUNCIL NOW HAS PLANS TO RELEASE THE ONE REMAINING LARGE TRACT OF GREEN BELT LAND FOR HOUSE BUILDING - SOME 470 HOUSES, I UNDERSTAND. ABSOLUTELY UNBELIEVABLE - AND TOTALLY UNWARRANTED. THE WHOLE BOROUGH IS LITTERED WITH UNUSED AND LITTER-STREWN BROWN FIELD SITES, EVERY ONE OF WHICH SHOULD BE UTILISED FULLY BEFORE EVEN CONSIDERING THE DESTRUCTION OF YET MORE EVER SCARCER GREEN BELT LAND. SO MANY HOUSES WOULD INVOLVE AT LEAST ANOTHER THOUSAND VEHICLES ON THE LOCAL ROADS (A CONSERVATIVE FIGURE) WITH MORE NOISE, POLLUTION AND FULL ROADS. THIS COUNCIL OBVIOUSLY DOES NOT GIVE A FIG FOR THE QUALITY OF LIFE ETC. OF EXISTING RESIDENTS IN HAYDOCK IN ITS RELENTLESS PURSUIT OF MORE AND MORE COUNCIL TAX, DESPITE WHICH THE SERVICES THIS WRETCHED COUNCIL PROVIDES GET WORSE BY THE YEAR. THERE IS NO HOPE!

THESE PLANS WILL BE MET WITH A LOT OF OPPOSITION, QUITE RIGHTLY, BUT IT WILL MAKE NOT ONE JOE OF DIFFERENCE. ST HELENS COUNCIL WILL DO WHAT IT WANTS TO DO ANYWAY, IN ITS USUAL "RIDING ROUGHSHOD" WAY, WITH ITS METAPHORICAL "TWO FINGERS" TO US POOR SODS WHO HAVE TO LIVE HERE AND WHO CANNOT AFFORD TO CLEAR OFF TO SOMEWHERE MORE PLEASANT. I HAVE LIVED IN HAYDOCK ALL MY LIFE, A ONCE QUIET VILLAGE, AND IT IS SAD TO SEE ITS DEMISE.

YOURS FAITHFULLY

[REDACTED]
(MARTIN N.OLLEY)

P.S. AT THE CURRENT RATE OF INCREASE IN THE UK POPULATION PRECIOUS GREEN BELT WILL BE NEEDED TO GROW FOOD.

RO1346

[REDACTED]

From: Peter O'Neill [REDACTED]
Sent: 08 January 2022 16:08
To: planningpolicy@sthelens.gov.uk
Subject: Local plan main modification consultation

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Peter O'Neill
111 Alder Hey Rd
Eccleston
St Helens WA10 4DW
I fully endorse the issues raised by
St Helens Green Belt Association
Peter O'Neill

Sent from my iPad

RO1365

[REDACTED]

From: david oxford <[REDACTED]>
Sent: 13 January 2022 11:06
To: planningpolicy@sthelens.gov.uk
Subject: St Helens Local Plan Main Modifications
Attachments: Last letter to Council.docx

Categories: Blue category

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

Please find attached my letter containing my comments to the Main Modifications to the STHLP

Regards D A Oxford
39 Windlebrook Crescent
St Helens WA10 6DY

St Helens Planning Dept

39 Windlebrook Crescent

St Helens Borough Council

Windle

St Helens Town Hall

St Helens WA10 6DY

Victoria Square

St Helens WA10 1HP

12th January 2022

Dear Sirs ,

Please find my comments below regarding the Main Modification to the St Helens Local Plan

I always understood that the main consideration of providing a Greenbelt area was to prevent Urban sprawl. But perceive that St Helens is continually being pincerred to join boundaries with Liverpool, Warrington and Greater Manchester.

The A580 provides a suitable natural boundary the and MM wording demonstrates that this parcel of land makes a high, not a low overall contribution to the Greenbelt.

I therefore feel strongly that it should be retained as Greenbelt for the following reasons:

I am not convinced that all other reasonable alternatives have been explored, for instance:

Housing Supply and available land

What standard method was used to calculate the housing need?

What exceptional circumstances will be used to bring it forward for development?

I understand that we have sufficient land to pass the 5 year rule

If all the outstanding 6000 Brownfield sites are brought forward and contaminated sites cleaned up this would lead to less Greenbelt needed, although an increased degree of willingness and commitment by the Council would be needed.

Have the Council properly applied for funding from the £75m Brownfield Release fund?

I believe that the Greenbelt reviews were biased in favour of easy development on clean greenbelt land because the Register of Brownfield sites had not been kept up to date by the Council. Hence Cllr Long's rather puzzling remarks on TV in June 2018 that 2/3 rds of St Helens is made up of contaminated land and would cost £40 m to clean up.

Employment

Whilst I applaud the current progress in attracting employment to the town, I feel that unless proper well paid jobs are available all housing should be affordable – not like the 4/5 bedroom houses built on the old Carmelite site.

The current population of St Helens is not growing and will not need to grow to meet the labour requirement if the jobs created are mostly or completely automated. (I refer to the overpromising of Amazon jobs at Floridor Farm.)

It appears to me that the better paid jobs would go to people outside the area and the effort would be to attract them to the area with luxurious housing, not to satisfy the towns own younger population.

How does the Council reconcile the building of a massive housing estate on grade 1 and 2 agricultural land with its own Climate Change Emergency declaration and contrary to the governments emerging policies on Global Warming.

How will the Council manage the potential 1800 extra commuter cars of the new residents on the existing road infrastructure.

MM012 states that access to the Strategic Road Network will only be permitted as a last resort. What other solutions does the Council envisage.

The original proposal for traffic access/egress was via either Houghtons Lane to the A580 or to Rainford Road/Windle Island via a Bus gate. What new plans do the Council have to alleviate traffic congestion locally or exiting the area via Knowsley Road or Burrows Lane.

Please take these points into consideration before finalising your decision.

Yours Sincerely

██████████

RO1372

[REDACTED]

From: glenn parkinson [REDACTED]
Sent: 10 January 2022 11:57
To: planningpolicy@sthelens.gov.uk
Subject: LOCAL PLAN

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

I fully support the representations about the Local Plan lodged by Residents against the Florida Farm Developments and Garswood Residents Action Group.

Glennis Parkinson

37 Springfield Park
Haydock
Lancashire
WA11 OXP

Sent from my iPad

[REDACTED]

From: glenn parkinson [REDACTED]
Sent: 07 January 2022 13:05
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan - Main Modifications

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

I fully support the observations submitted to you by the St Helens Green Belt Association (SHGBA) in respect of the above.

Glennis Parkinson
37 Springfield Park
Haydock
St Helens
Lancashire
WA11 OXP

Sent from my iPad

R01375

From: Paul Parkinson [REDACTED]
Sent: 12 January 2022 11:09
To: planningpolicy@sthelens.gov.uk
Subject: St Helens Local Plan
Attachments: addendum to the comments re 156 bus service..docx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Blue category

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

Further to my email yesterday submitting comments on the Local Plan on behalf of Residents against the Florida Farm Developments (RAFFD) and Garswood Action Group (GRAG) I attach an addendum to the comments in respect of the 156 bus service in Garswood.

Yours faithfully

Paul F Parkinson
Chairman
Residents against the Florida Farm Developments

Sent from [Mail](#) for Windows

[REDACTED]

From: Paul Parkinson [REDACTED]
Sent: 11 January 2022 12:22
To: planningpolicy@sthelens.gov.uk
Subject: St Helens Local Plan - Main Modifications
Attachments: Repls Re Main Mods to Local Plan v 6 Final.docx

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

I attach comments on the above from Residents against the Florida Farm Developments and Garswood Residents Action Group.

Yours faithfully
Paul F Parkinson, LIB, DML
[REDACTED]

Chairman – Residents against the Florida Farm Developments

Sent from [Mail](#) for Windows

**Residents against the Florida Farm Developments (RAFFD)
&
Garswood Residents Action Group (GRAG)**

**Addendum to the Comments on the proposed Main
Modifications to the St Helens Local Plan in respect of
Sites 1HA and 1HS in Garswood**

Since the comments were forwarded to the Council on 11 January 2022 it has been discovered that there are to be amendments to the timetable for the 156 Bus Service with effect from 16 January 2022.

This Service will now be cut to one bus every **two hours** on Sundays and every **two hours** in the evening.

On behalf of Residents against the Florida Farm Developments and Garswood Action Group.

**Residents against the Florida Farm Developments (RAFFD)
&
Garswood Residents Action Group (GRAG)**

**Comments on the proposed Main Modifications
to the St Helens Local Plan**

RAFFD was started on 1 June 2016 as Residents against the Florida Farm Development, to object to the planning application by Bericote Properties Ltd to construct warehouses on approximately 91 acres of Greenbelt at Florida Farm North, Haydock.

In November of that year, when details of the St Helens Local Plan were released the name was changed to Residents against the Florida Farm Developmentss to reflect our opposition to proposed housing at Florida Farm South and to Greenbelt Development throughout the Borough.

GRAG was also set up in November 2016 in response to the proposals in the St Helens Local Plan.

The combined Groups have a membership of approximately 1900.

We have read the responses to the Main Modifications made on behalf of the St Helens Green Belt Association (SHGBA), Bold and Clock Face Action Group, and ECRA and fully support those responses.

To save the Inspectors having to read the same comments twice this document should be read as an Appendix to the St Helens Green Belt Association submission with reference to the specific sites detailed below.

These comments are in respect of proposed developments within the existing Wards of Blackbrook and Haydock and the Garswood area of the Billinge and Seneley Green Ward.

Employment allocations 4EA, 5EA, 6EA.

Housing Allocations 1HA, 2HA and 1HS.

The document indicates the Main Modification Reference together with a copy of the St Helens Borough Council proposal and then details the response..

General Comments

It is believed the Local Plan is unsound as it is not based on conclusive and vigorous evidence and needs modification.

The amount of land being advised as being needed for development is overstated, there are no exceptional circumstances that warrant changing Greenbelt boundaries as previously developed land, Brownfield and contaminated land have not been thoroughly examined. The Greenbelt reviews are erratic and partisan. Economic hypotheses are over-egged.

The Main Modifications do not adequately allay fears in relation to developments 1HA and 1HS until there is guaranteed social infrastructure/infrastructure improvements. Without guarantees the impact on the local community would be catastrophic

The 'renewed focus on a Brownfield-first policy' – identification and remediation of Brownfield/contaminated land over the plan period would negate the need for safeguarded land for development and no exceptional circumstances to remove land from the Greenbelt have been proved.

'Suitable' Greenbelt sites have been selected on the basis that the land parcels are 'well contained with strong boundaries'. That is not an exceptional circumstance and reason to remove from the green belt.

Reasons given for safeguarded land are inconsistent.

Site Specific comments

Reference - MM007

Employment land allocations

Site - 4EA – Land south of Penny Lane, Haydock

4.12.26 This site forms a relatively small part of a larger parcel of land that the Green Belt Review (2018) found to make a 'medium' contribution to the purposes of the Green Belt, with 'good' development potential. It should be noted that the parcel of land assessed in the Green Belt Review included the land to both the north and south of Penny Lane. In this context, a significant part of the assessed Green Belt parcel (11.05ha) has an extant planning permission for employment development, of which the majority has now been developed. This is the land to the north of Penny Lane. The site forms a natural extension to the Haydock Industrial Estate. Indeed, given the development of land to the north of Penny Lane, this site is now surrounded by built development of the Haydock Industrial Estate to the north, east and south, and the M6 to the west. The site is also located in close proximity to an area that falls within the 20% most deprived population in the UK. Therefore, its development for employment use would help to reduce poverty and social exclusion. The development would also reduce the need to travel by making best use of existing transport infrastructure due to its location close to a high frequency bus service.

Comment by RAFFD & GRAG

This site is adjacent to a major tourist destination in Haydock, ie the Mercure Hotel and is in very close proximity to Haydock Park Racecourse.

The hotel has already suffered badly from the inappropriate development of the Briggs Plant Hire Company to the immediate West of its grounds, not what was envisaged for the site by the glossy brochure issued by the developer for what is known as Empress Park.

This parcel of land should be deleted from the proposals and should remain as part of the Greenbelt.

Site - 5EA – Land to the West of Haydock Industrial Estate, Haydock

4.12.27 The Green Belt Review (2018) found the sub-parcel of land reflecting this site to make a 'medium' contribution to the Green Belt purposes. The site adjoins the large built up area of Haydock, but is relatively well contained and strategic gaps between Haydock and elsewhere could still be maintained following the release of this site from the Green Belt. The Review also found the site to have 'good' development potential. The removal of this site from the Green Belt in conjunction with site 6EA, and the now developed employment land at Florida Farm North presents the opportunity to provide a stronger, more robust boundary in this location. The site is located within 1km of an area falling within the 20% most deprived population in the UK. Its development for employment use would help reduce poverty and social exclusion and help reduce the need to travel through making best use of existing transport infrastructure due to its location close to a high frequency bus service.

Comment by RAFFD & GRAG

This parcel of land, together with 6EA below and the already developed Florida Farm North constitute an area of some 160 acres (65 hectares). It is difficult to understand how an area of this size in a rural location can be classified as only having a medium contribution to the Greenbelt. The whole area should have been looked at as one and not divided into smaller parcels.

An application to develop this land for warehousing was rejected by the Council on 23 July 2019 as being inappropriate development within the Greenbelt. Only three members of the Planning Committee voted in favour of granting the application and the developer did not appeal the decision. The developer was so confident that ■■■ application would be granted that prior to the planning committee hearing, and without planning permission, ■■■ erected a sign stating that the warehouses would be coming soon.

Some two and a half years later that illegal sign is still on the site despite complaints being made about it and the Council stating that they would take enforcement action.

6EA – Land West of Millfield Lane, south of Liverpool Road and north of Clipsley Brook, Haydock

4.12.28 The Green Belt Review (2018) found the sub-parcel of land reflecting this site to make a 'medium' contribution to the Green Belt purposes. At the time the Green Belt Review was undertaken, this site did not adjoin a large built-up area, but was considered in part to prevent ribbon development along Liverpool Road. Since that time, employment development at Florida Farm North has taken place adjacent the southern boundary of the site. This site would form a natural extension to the Haydock Industrial Estate, and its development would provide a stronger, more robust Green Belt boundary. The site is located within 1km of an area falling within the 20% most deprived population in the UK. Its development for employment use would help reduce poverty and social exclusion

Comment by RAFFD & GRAG

The first paragraph of the comments about site 5EA above also applies to this proposal. There don't appear to be any concrete proposals as to how this site would be accessed and in the past there have been woolly comments about a link road from Liverpool Road to Haydock Lane through this site and site 5EA above.

Should these sites remain in the Local Plan and subsequent planning permission is granted see my comments later in respect of planning and highways agreements to mitigate the effects of these two developments and the need for the council to manage and monitor the construction in a way that causes the least disruption to residents and highway users.

Housing Land allocations

Reference - MM010

1HA – Land south of Billinge Road, East of Garswood Road and West of Smock Lane, Garswood

4.18.24 The Green Belt Review (2018) found the parcel of land corresponding to this site to make a 'low' overall contribution to the Green Belt purposes. In summary, all sides of the site have strong boundaries, and it is therefore well contained. The strategic gap between Billinge and Garswood could also be maintained notwithstanding the release of this site from the Green Belt. It also found the site to have 'good' development potential. The site is in a sustainable location within walking distance of a local shop and public transport links, including the nearby railway station. Safe access to the site can be provided, and a suitable sustainable drainage scheme also. Indeed, development of this site could help solve flooding issues in the surrounding urban area. The Sustainability Appraisal (SA) found development of the site would result in a high number of positive effects.

Comment by RAFFD & GRAG

The main criteria mentioned for the selection of 'suitable' Green Belt sites remains that parcels are "well contained with strong boundaries". This cannot be an exceptional circumstance for removal from Green Belt.

The perceived benefits of development are over-egged and we object and reject the statement that 'The Sustainability Appraisal (SA) found development of the site would result in a high number of positive effects.'

As far as the comment about '**within walking distance of a local shop**' – much of the area has footways/safe walking routes on only one side of the road.

'Transport links'

The 156 bus service was diverted to accommodate the Florida Farm development – making journey times much longer and less frequent now at one per hour

157 bus service is one per hour no early or late availability (0940-1744 hours).

Train service is one per hour – no access to Liverpool bound platform for those with mobility issues due to 56 stairs, 4 landings, a bridge and no lift.

No proposed additional social infrastructure: doctors – already has a waiting list and not accepting new patients due in part to the national shortage of GPs, there is no dentist in the area, school places, etc.

Effects of Greater Manchester Clean Air Zone are as yet unknown as being on the extremity of the borough and abutting Greater Manchester, the area is likely to become even busier as traffic tries to find ways around the charges. This has not been taken into account.

Should this site remain in the Local Plan then the Highways Service needs to ensure by way of Section 278 Highways Act Agreement that adequate footways are provided in the vicinity of the development and elsewhere in Garswood as there are many highways that only have a footway on one side.

There should also be a provision for a substantial contribution towards the upgrade of Garswood Station, including the provision of a lift.

2HA – Land at Florida Farm (South of A580), Slag Lane, Blackbrook

4.18.25 The Green Belt Review (2018) found the parcel of land generally reflecting this site to make a 'low' overall contribution to the Green Belt purposes, with strong permanent boundaries and not having a sense of openness or countryside character. In summary, there is existing residential development on three sides of the site, and the East Lancashire Road (A580) on the fourth side. It also found the site to have 'good' development potential. The site is in a sustainable location with good levels of accessibility to key services and jobs (including at the Haydock Industrial Estate). The site presents no technical constraints that cannot be satisfactorily addressed. Indeed, the provision of flood mitigation measures for the site could have the beneficial effect of helping alleviate flooding in the wider area. The SA found development of the site would have a mixed impact on achieving SA objectives, with a high number of positive effects, including good access to public transport and employment opportunities.

Comment by RAFFD & GRAG

It is difficult to see how this land, consisting of some 57 acres (23.19 hectares) of farmland in this semirural location, could warrant a description of having a "low overall contribution to the Greenbelt". Having strong, permanent boundaries is not an exceptional circumstance for the removal of land from Greenbelt.

The proposal for yet another left off/left on access on the A580, a high speed highway is an accident waiting to happen, particularly as it is in close proximity to the 4-way junction at Haydock Lane. Vehicles can be held at these lights for lengthy periods and we have experienced at first hand the speeds that some vehicles attain as they race away from the hold up. The Highways Service should ensure, by way of a Section 278 Agreement, that the developer makes a 100% contribution towards the costs of introducing a 40 mph speed limit along this length of the A580, if it has not previously been introduced.

They should also ensure that they receive adequate funding via the Section 278 Agreement to mitigate the effect of this development on the existing highways network, including a commuted sum for the culvert that will be required at the junction of Vicarage Road/Liverpool Road and a sum to cover any contingencies that may arise.

Having experienced the problems caused on the A580 and surrounding highways during the Construction of the Florida Farm North warehouses it is imperative that the Council carefully monitors the site during the initial construction phase of the main access at the junction of Vicarage Road and Liverpool Road, in particular by ensuring that an adequate wheel wash system is installed and used. A rumble strip and a fleet of road sweeping vehicles spreading mud like buttering bread, is **NOT** an acceptable method.

The Council should also address the need for social infrastructure such as doctors and dentists and in particular school placements.

Housing safeguarded sites

Reference MM011

1HS – Land south of Leyland Green Road, North of Billinge Road and East of Garswood Road, Garswood

4.24.10 The Green Belt Review (2018) found the sub-parcel of Green Belt land containing this site to make a 'medium' contribution to the Green Belt purposes and has a 'medium' development potential. The site is within walking distance of a local convenience shop and is readily accessible by bus and rail. There are not considered to be any technical constraints to delivering development on this site that cannot be satisfactorily addressed over the necessary timeframe. However, as the site projects further into the countryside than housing allocation 1HA, it is considered to be a less logical extension to the village within the Plan period. On that basis, site 1HA is allocated for development within the Plan period, and this site is safeguarded for development subsequent to that, beyond the end of the Plan period to meet longer term needs, creating a logical phased extension of the village both within and beyond the Plan period.

Comment by RAFFD & GRAG

We agree with the comments of the St Helens Green Belt Association at MM006 Section 5. Greenbelt release and the identification of Safeguarded land is not necessary.

Reference MM034

All proposals for development will be expected, as appropriate having to their scale, location and nature, to meet or exceed the following requirements:-

- 1.a) Maintain or enhance the character and appearance of the local environment ...
- b) avoid causing unacceptable harm to the amenities of the local area ...

Comment by RAFFD & GRAG

In respect of Garswood the development of the sites 1HA and 1HS will change the character of the village with the loss of open aspect views and farmland habitats.

In respect of site 4EA – land south of Penny Lane, the proposed development will cause unacceptable harm to the amenities of the Mercure Hotel.

Residents against the Florida Farm Developments & Garswood Residents Action Group Additional Comments

Those of us unfortunate to live in close proximity to the warehouse development know as Florida Farm North (FFN) have seen at first hand the incompetence of this Council, both its officers and councillors, when it comes to managing a planning application on this scale.

The Councillors appeared to be completely in thrall to the developer with the promise of 2,500 jobs (which they were assured could rise to 5,000) and the expected revenue from Business Rates. (The last official numbers of jobs created that we have seen is 70 at the Kellogg's warehouse and 250 at the Amazon warehouse.)

So much were they in thrall that no one queried some of the claims made.

An example: when they submitted the planning application in July 2016 the developer stated that they based the number of jobs, 2,500, on the number, 3,500, that HAD been achieved at the Ocado development at Erith in London. A few seconds on Google revealed that the Erith development was still under construction and didn't open until about September 2017, some 15 months later. In June 2016 no jobs had been created in Erith. Either the Council didn't take the simple precaution of interrogating Google or they did and ignored the answer.

A further example: the developer claimed that there were 1,800 persons employed at the Sainsbury's warehouse at the opposite end of the Haydock Industrial Estate to FFN. An email to the Human Resources Department at Sainsbury's revealed that the actual number was approximately 800.

At the initial hearing of the planning application the then Chairman of the Committee agreed with the developers figures for Sainsbury's and another Councillor criticised us for approaching Human Resources directly and not the Chief Executive. Does he seriously believe that the Chief Executive would have the numbers at his fingertips and wouldn't have passed on our email to Human Resources?

One of the points we made in our objection was that many of the jobs created, (and we never believed the 2,500 figure), would be Zero Hours Contracts. The Chairman stated basically that there was no such thing as Zero Hours Contracts. St Helens Council itself operates such Contracts.

After the planning permission had been granted an agreement under Section 106 of the Town and Country Planning Act was issued together with an Agreement under Section 278 of the Highways Act.

The Section 106 Agreement was a Unilateral Undertaking for the developer and the then owners of the land at FFN to make a contribution of £500,000 towards amendments to the junction of the A580 and the A58.

The Section 278 Agreement just related to stage payments in respect of the £2.4 million for the new access road and roundabout at the junction of the A580 and Haydock Lane. This money, incidentally, was obtained from the Liverpool City Region by the Council, the application having been made before the planning application was lodged.

No one appears to have taken the simple precaution of obtaining contributions from the developers for anything that might mitigate the effect of the new junction and the increased flows of traffic on a 24 hour cycle. No commuted sum was obtained in respect of the increased liability of the Council in having to service a set of traffic signals for a new 4-way junction or the liability for the culvert carrying the Clipsley Brook beneath part of the new infrastructure.

The Council prevaricated about weight restrictions on Haydock Lane South, only reacting when an articulated lorry reversed out of a residential road and demolished a garden wall and fence.

The subsequent Traffic Regulation Order and signage was funded by the Council Tax payers, not the Developer. The use of Haydock Lane South by HGV's is a scenario that we forecast would happen and should have been foreseen by Officers of the Highways Service.

These are just a few examples of why we believe that the Council is not in a position to monitor the development that is about to take place, starting in the next few weeks with the construction of the Parkside Link Road on the Newton le Willows and Winwick boundary and continuing into the future with the other major developments that will take place.

I was informed several years ago by Senior Council Officers that the Council had a long term culture of not frightening off developers by requiring contributions under Section 106 or Section 278 Agreements but to make up any deficiencies from the increased revenue from Council Tax contributions.

A Council that has claimed to be 'strapped for cash' for many years should be making the most of the opportunities presented by the major developments that are planned throughout the Borough.

The Local Plan Procedure was commenced in November 2016 but there have been several false starts, leaving us in 2022 with the procedure still not completed. The Council in November 2016 published a time-line estimating that the Local Plan would be

adopted in early 2020. This has led to the Plan Period having to be adjusted to end in 2037 rather than the initial 2035.

In the meantime the Council has been busy granting planning applications for inappropriate development within the Greenbelt such as Parkside and Omega South.

Conclusion

These organisations have no confidence in the Council and we believe that the proposed Main Modifications do not address the concerns of the two Groups.

We don't believe that the Council will make provision in any future grant of planning permission to ensure that the concerns about highway infrastructure and social infrastructure will be addressed and that opportunities to mitigate the effect of these developments will not be taken.

Residents against the Florida Farm Developments

Garswood Residents Action Group

[REDACTED]

From: Paul Parkinson [REDACTED]
Sent: 07 January 2022 12:56
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan - Main Modifications

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

I fully support the observations submitted to you by the St Helens Greenbelt Association (SHGBA) in respect of the above.

Paul Parkinson
37 Springfield Park
Haydock
St Helens
Lancashire
WA11 OXP

RO1391

[REDACTED]

From: James Pearson [REDACTED]
Sent: 10 January 2022 20:11
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan
Attachments: Repls Re Main Mods to Local Plan v 5.docx

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Hi,

My name is
James Pearson

I live at
57 Birch Grove
Garswood
WN40QX

I support the comments made by RAFFD and GRAG as enclosed with the attachment

Thanks
James
Sent from my iPad

Residents against the Florida Farm Developments (RAFFD) & Garswood Residents Action Group (GRAG)

Comments on the proposed Main Modifications to the St Helens Local Plan

RAFFD was started on 1 June 2016 as Residents against the Florida Farm Development, to object to the planning application by Bericote Properties Ltd to construct warehouses on approximately 91 acres of Greenbelt at Florida Farm North, Haydock.

In November of that year, when details of the St Helens Local Plan were released the name was changed to Residents against the Florida Farm Developmentss to reflect our opposition to proposed housing at Florida Farm South and to Greenbelt Development throughout the Borough.

GRAG was also set up in November 2016 in response to the proposals in the St Helens Local Plan.

The combined Groups have a membership of approximately 1900.

We have read the responses to the Main Modifications made on behalf of the St Helens Green Belt Association (SHGBA), Bold and Clock Face Action Group, and ECRA and fully support those responses.

To save the Inspectors having to read the same comments twice this document should be read as an Appendix to the St Helens Green Belt Association submission with reference to the specific sites detailed below.

These comments are in respect of proposed developments within the existing Wards of Blackbrook and Haydock and the Garswood area of the Billinge and Seneley Green Ward.

Employment allocations 4EA, 5EA, 6EA.

Housing Allocations 1HA, 2HA and 1HS.

The document indicates the Main Modification Reference together with a copy of the St Helens Borough Council proposal and then details the response..

[REDACTED]

From: James Pearson [REDACTED]
Sent: 10 January 2022 20:29
To: planningpolicy@sthelens.gov.uk
Subject: Local plan overall response
Attachments: SHGBA MM Response Jan22.docx

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Hi,
My name is
James Pearson

I live at
57 Birch Grove
Garswood
WN40QX

I endorse the issues raised on behalf of the SHGBA as enclosed with the attached document

Thanks
James
Sent from my iPad

ST HELENS LOCAL PLAN MAIN MODIFICATIONS RESPONSE OF SHGBA

(December 2021)

St Helens Local Plan Main Modifications – Response of SHGBA

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
MM001	<p>“St Helens Borough Local Plan 2020-20375”</p> <p><i>Change all references to 2035 throughout the Plan to 2037 to reflect the extended Plan period, and update any associated requirement figures and supply information (including for employment and housing), where necessary.</i></p>	Support
MM002	<p>“1.9.1 In accordance with national planning legislation, the Local Plan will be subject to regular monitoring and will be reviewed at least once every no more than 5 years after its date of adoption to assess whether it needs updating, and action taken to update the Plan if considered necessary. This will ensure that planning policies in St Helens Borough remain responsive to the development needs of the Borough.”</p>	Support
MM003	<p>“2.9.2 Despite the urban character of much of the St. Helens Borough, over half of its area is rural or semi-rural in nature, and 7% of it constitutes open green spaces within the urban areas. The Borough benefits from an extensive network of open countryside and green spaces, much of which is accessible to local residents providing opportunities for formal and informal recreation, and improved health and quality of life. Certain spaces provide valuable nature conservation habitats, including, for example, 120 designated Local Wildlife Sites. Open spaces also play a role in helping to manage flood risk, including in the Sankey Catchment that covers much of the Borough. In addition, open spaces provide opportunities to mitigate and adapt to the impacts of climate change. Therefore, this plan will support the Council’s Climate Change Emergency declaration.”</p>	Support
MM004	<p><i>Insert new paragraphs 3.3.2 and 3.3.3 as follows:</i></p> <p>“3.3.2 The plan proposes to review the following Supplementary Planning Documents (SPDs) that are used by the Council:</p> <ul style="list-style-type: none"> • Ensuring a Choice of Travel • Hot Food Takeaways • Affordable Housing 	Support

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
	<ul style="list-style-type: none"> • New Residential Development • Householder Development • Telecommunications • Nature Conservation <p>3.3.3 This Plan also proposes to produce new Supplementary Planning Documents to support the implementation of policies:</p> <ul style="list-style-type: none"> • Developer Contributions • Open space provision and enhancement • Houses in Multiple Occupation (HMOs) 	
MM005	Entire 'Policy LPA01: Presumption in Favour of Sustainable Development' to be deleted along with accompanying Reasoned Justification (and associated re-numbering of subsequent policies in the Plan)	Support
MM006	<p>3. The re-use of suitable previously developed land in Key Settlements will remain a key priority. A substantial proportion of new housing throughout the Plan period will be on such sites. This will be encouraged through the use of Policies LPA08 and LPC02 to support the delivery of sites, particularly those on Previously Developed Land, by, for example, setting lower thresholds for developer contributions on previously developed sites to reflect the higher costs and lower sales values typically associated with redeveloping such sites, where appropriate.</p> <p>Addition of new section 4 into policy: 4. Comprehensive regeneration of the wider Borough will be delivered by the English Cities Fund Regeneration Partnership, through the provision of quality housing, new commercial activity, upgraded infrastructure and the overall improvement of the social and economic viability of the Borough on a phased basis.</p>	<p>Section 3. Object. The word “suitable” is imprecise and should be replaced by “as much previously developed land as possible” – this brings section 3 into line with NPPF paragraph 119. The phrase “where appropriate” is imprecise and should be replaced with “where it can be demonstrated by the applicant that lower thresholds are necessary for the delivery of a site”.</p> <p>Support new section 4.</p> <p>No comment</p>

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic text</i>).	SHGBA Response
	<p>Re-number existing criteria 4-10 to 5-11.</p> <p>4. 5. This Plan releases land from the Green Belt to enable the needs for housing and employment development to be met in full over the Plan period from 1 April 2020 until up to 31 March 20375, in the most sustainable locations. Other land is removed from the Green Belt and safeguarded to allow for longer term housing and / or employment needs to be met after 31 March 20375. Such Safeguarded Land is not allocated for development in the Plan period and planning permission for permanent development should only be granted following an update full review of this Plan. Within the remaining areas of Green Belt (shown on the Policies Map) new development shall be regarded as inappropriate unless it falls within one of the exceptions set out in the National Planning Policy Framework (or any successor document). Inappropriate development in the Green Belt shall not be approved except in very special circumstances. Delivery of compensatory improvement measures within areas remaining in the Green Belt will be required following any release of Green Belt land for development purposes. Details of such improvements will be considered during the development management process and assessed on an individual application basis.</p> <p>67. Parkside West and Parkside East form transformational employment opportunity sites that will make a major contribution to the economic development of St. Helens Borough and beyond. Development that prejudices their development in accordance with Policies LPA04, and LPA10 and LPA12 will not be allowed.</p> <p>4.6.9 This will ensure that the changes to the Green Belt endure well beyond 20375, avoiding the need for another Green Belt review for a substantial period, and giving a clear indication of the potential location of future development and associated infrastructure needs.</p>	<p>Section 5. Object We maintain our objection that Green Belt release and the identification of safeguarded land is not necessary. The word “review” should be reinstated, section 5 should then read “following a full review or update of this Plan”. This will bring section 5 into line with paragraph 140 of NPPF that reads “through the preparation or updating of plans” – both full review and update should and can be referenced to make the Plan consistent with national policy (NPPF, paragraph 35d).</p> <p>No comment.</p> <p>Support</p>

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
	<p>4.6.10 The Council’s SHLAA indicates that there is capacity for substantial housing development on urban sites. However it also established that Green Belt release would be required to help meet identified housing needs over the Plan period. Likewise, there is a significant shortfall in the urban supply of employment land against the identified needs.</p> <p>4.6.11 In view of the NPPF advice that local authorities work jointly with neighbouring authorities to meet any development requirements that cannot be met within their own boundaries, it should be noted that whilst St Helens shares a housing market area with Halton and Warrington, both have identified shortages of urban land supply for housing. St Helens Borough shares a functional economic market area with Halton, Knowsley, Liverpool, Sefton, West Lancashire and Wirral, none of which have identified spare capacity for employment development which could help meet the needs of St Helens. Such is the shortage of employment and housing development land in the surrounding areas as a whole that several authorities (Knowsley, Sefton and West Lancashire Councils) have successfully undertaken local Green Belt Reviews to meet their own needs, with further authorities also undertaking them (collectively covering the whole of Greater Manchester, Halton, Warrington and Wirral). None of these reviews have identified surplus capacity to help meet development needs arising in St Helens.</p> <p>4.6.12 In addition, there are other reasons why it is not desirable for housing or employment development needs arising in St Helens to be met in other authorities. If a neighbouring authority were able to meet such needs, this would (due to the shortage of urban land supply identified in those areas) be through the release of Green Belt, ie. the prospective loss of Green Belt in St. Helens would simply be replaced by a similar loss of Green Belt elsewhere. This would also lead to a risk</p>	<p>Object We maintain our objection that Green Belt release and the identification of safeguarded land is not necessary.</p>

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
	<p>that residents would need to move out of the Borough, potentially resulting in the loss of economically active residents within local communities. Such an approach would also be unlikely to guarantee delivery of affordable or special housing needs for residents of St Helens. If demand for new employment was required to be met outside the Borough, it would tend to exacerbate net out-commuting. This would prejudice the achievement of sustainable patterns of travel and make it more difficult for residents of St Helens, some of whom are likely to be reliant on public transport to access employment.</p> <p>4.6.13 For all of these reasons, there are considered to be exceptional circumstances at the strategic level to justify the release of Green Belt land to meet identified development needs.</p> <p>Renumber subsequent paragraph to account for the new paragraphs</p> <p>4.6.10 4.6.14 The sites that have been removed from the Green Belt</p> <p>4.6.11 4.6.15 New employment development falling within use classes B1, B2 and B8 and for light industrial, offices and research and development uses will be primarily”</p> <p>4.6.15 4.6.19 ... 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.</p> <p>4.6.20 In addition, the Council aims to protect and enhance remaining areas of Green Belt by seeking the delivery of compensatory improvement measures. In accordance with paragraph 138 of the NPPF, delivery of compensatory improvement measures will be sought when sites are released from the Green Belt for development as part of this plan. Such measures should enhance the environmental quality and</p>	<p>Support</p> <p>Support</p> <p>Support</p> <p>We note this is an incomplete phrasing from NPPF – that includes “any other harm <u>resulting from the proposal</u>”.</p> <p>No comments to make.</p>

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
	<p>accessibility of the remaining Green Belt land, amongst other improvements. Further guidance is provided within the National Planning Practice Guidance (Green Belt Land).</p> <p>4.6.21 The delivery of compensatory improvements will be supported by a number of policies within this Plan. For example, policies LPA09, LPC05-10 and LPC12 all have an environmental focus, which will support the delivery of Green Belt compensatory measures. Additionally, development management focussed policies, including LPD01-03 and LPD09 will support this.</p> <p>4.6.22 Beyond the policy framework in this Plan to support the delivery of Green Belt compensatory measures, as well as other development plan documents, such as the Bold Forest Park AAP, the Council will continue to build on project improvements delivered to date. Improvements include those at the strategic level, such as at Bold Forest Park, for example the expansion of tree cover and the delivery of improved recreational facilities. A further strategic level project is the Sankey Valley Corridor Nature Improvement Area (NIA), which is focussed on enhancing the aquatic environment as well as the surrounding natural environment within the catchment, and improvements in environmental management practices. Improvements in this location have included accessibility enhancements, including walking and cycling infrastructure and new signage, enabling increased access to the Green Belt for residents and visitors. It is expected that further improvements can be delivered at these two strategic projects as part of Green Belt compensatory measures.</p> <p>4.6.23 There are further sites around the Borough that could be improved as part of Green Belt compensatory measures including those which form part of the Knowsley and St Helens Mosslands Nature Improvement Area (NIA), comprising three sites in the north of the</p>	

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	<p>Borough, near Rainford, one by Parr and one by Newton-le-Willows (see Appendix 9). In addition, there are many Local Wildlife Sites (LWS) in the Borough, which are identified on the Policies Map, and Appendix 8 of this Plan shows that there are several LWS in each ward of the Borough, with many of these wards having LWS in the Green Belt. There are also three Local Nature Reserves located within the Green Belt. Compensatory measures can also occur at non-designated sites within the Green Belt, for example, initiatives related to alleviating the effects of flooding events, such as those implemented previously in the settlement of King’s Moss. Therefore, there are clear opportunities for localised Green Belt compensatory measures to be delivered on such designated and non-designated sites across the entire Borough through the delivery of environmental improvements, in addition to the two identified strategic sites referred to above.</p> <p>4.6.17 4.6.25 ... Open spaces and landscaping, including those provided within development sites also provide opportunities to adapt to climate change by storing flood water, reducing urban heat islands, capturing carbon and improving air quality, and therefore support the Council’s Climate Change Emergency declaration. Whilst public funding support to create and manage open spaces ...”</p> <p>4.6.19 4.6.27 As a priority, the Council will continue to work to support the redevelopment of brownfield sites in the urban area. It is also pursuing opportunities to enhance town centres in the Borough, for example through the creation of the St. Helens Town Centre Strategy. In addition, the Council intends to work pro-actively with partner organisations where necessary to secure the suitable regeneration of other town, district and local centres and of existing housing and employment areas, particularly in less affluent areas. The Council will prepare Supplementary Planning Documents covering specific areas where this is considered necessary to help implement their regeneration.”</p>	<p>Support.</p> <p>Support</p>

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	<p>4.6.28 The Council has entered into a formal partnership agreement with the English Cities Fund as the Council’s preferred strategic partner to ensure the delivery of a Borough wide regeneration strategy, including economic regeneration and housing. The Council has recognised that a new approach to growing the economy of the Borough is required that seeks to work pro-actively with the private sector and establish a strategic partnership maximising the opportunities presented to deliver significant future growth in St. Helens and deliver key priorities including Town Centre regeneration, social wellbeing and providing appropriate infrastructure to support future development.</p> <p>4.6.29 Furthermore, as part of the ‘Town Deal’ initiative established by the Government in 2019, the Council has successfully secured significant investment of up to £25 million. This funding will be used to help increase economic growth with a focus on land use and regeneration, improved connectivity (both transport and better broadband connectivity), skills and employment, and heritage, arts and culture for St. Helens Town Centre.</p> <p>4.6.30 The Council will prepare Supplementary Planning Documents covering specific areas to help implement regeneration where this is considered necessary.</p>	
MM007	<p>c) ensure the necessary infrastructure is provided to support business needs (see Policy LPA 08); and d) support the creation of and expansion of small businesses.; and e) support businesses and organisations in the economic recovery and renewal from the COVID-19 pandemic.”</p>	Support

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	<p>2. The Council will aim to deliver a minimum of 215.4 173.24 hectares of land for employment development between 1 April 202118 and 31 March 20375 to meet the needs of St Helens Borough.</p> <p>a) the land or building (or any part of it) is no longer suitable and economically viable for light industrial, offices and research and developmentB4, B2 or B8 uses in accordance with the ...</p> <p>Proposals for the re-use, re-configuration or re-development for B4 light industrial, offices and research and development, B2 or B8 uses of land or buildings used for B4 light industrial, offices and research and development, B2 or B8 uses (including where...</p> <p><u>“7. Proposals for Class E uses in locations outside a defined centre will be subject to a condition to prohibit town centre uses (as defined in the glossary of the NPPF), unless the requirements of Policy LPC04 are satisfied.</u></p> <p>78. The Council will support proposals to ...”</p> <p>Subsequent criteria will be renumbered accordingly.</p> <p>Remove sites 2EA, 3EA, 10EA and 11EA. Table 4.1 to be updated to reflect this. See Annex 9.</p> <p>For this site, appropriate uses will read: “light industrial, offices and research and development, B2, B8”</p> <p>“15 Sites 2EA and 6EA are subject to existing planning permissions for employment development.”</p>	<p>Updated position noted, but we maintain our original objection to the employment land supply figure and how it was calculated.</p> <p>Support.</p> <p>Support.</p> <p>No comment to make.</p> <p>Noted.</p> <p>Noted.</p> <p>No comment to make</p> <p>No comment to make.</p>

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	<p>“16 The phrases B1, B2 and B8 in Policy LPA04 refer to use classes in the Town and Country Planning (Use Classes) Order 1987 (as amended).”</p> <p>“4.12.2 The Local Plan’s vision still stands true as we plan for recovery from the COVID-19 pandemic: By 2037, St Helens Borough will provide through the balanced regeneration and sustainable growth of its built-up areas, a range of attractive, healthy, safe, inclusive and accessible places in which to live, work, visit and invest. Key to this is a continued focus on the economy, so that St. Helens residents are able to access good quality jobs that raise their living standards, whilst also improving physical and mental health.</p> <p>4.12.3 It is anticipated that the English Cities Fund Regeneration Partnership and the Council’s successful Town Deal funding bid will also assist in the post COVID-19 economic recovery.”</p> <p>“4.12.42 The provision of new well-located ...” Subsequent re-numbering of Reasoned Justification paragraphs required.</p> <p>Table 4.2 “B1 (a) Office” “B1 (b) Research and Development” “B1 (c) Light Industry”</p> <p>“4.12.97 Based on the OAN identified in the ELNS Addendum Report up to 2037, the OAN requirement for 2012-20375 has been calculated as a minimum of 227.4 239ha as shown in Table 4.3. This figure has been calculated by projecting forward the historic 5.8ha per annum growth scenario for the 1997-2012 period (referred to in the ELNS Addendum Report) from the base date of 2012 to the end date of the Plan (20375), and then adding a 5 year buffer to the baseline OAN (to ensure adequate choice and flexibility) and the recommended allowance for SuperPort and Parkside SRFI of 65ha from the ELNS Addendum Report.”</p>	<p>No comment to make.</p> <p>Support.</p> <p>No comment to make.</p> <p>No comment to make.</p> <p>Object – based on our previous submissions relating to the employment land calculation.</p>

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	<p>Update to Table 4.3, Reasoned Justification Paragraph 4.12.8 (to be renumbered 4.12.10) and replacement Table 4.4.</p> <p>“4.12.119 The above residual requirement figure includes no allowance for replacing employment land lost to other uses between 2012 and 20375. This ...”</p> <p>4.12.113... The draft SHELMA also assesses the need for B4<u>light industrial, offices and research and development</u>, B2 and for smaller scale B8 development (of less than 9,000m²). Unlike those ...”</p> <p>“4.12.1214 ... Whilst the residual employment land needs in the Borough identified in Table 4.4 (totalling 215.4 173.24ha) cover a different time period to the SHELMA they will be sufficient to both meet the Borough’s needs for B4 <u>light industrial, offices and research and development</u>, B2 and small scale B8 uses and a substantial ...”</p> <p>4.12.1416 The total supply of allocated employment sites will (at 234.08 <u>182.31ha</u> – excluding site 1EA) slightly exceed the residual employment land requirement identified in Table 4.4. ...”</p> <p><u>“4.12.16 To ensure the development of the proposed employment allocations for the identified employment uses, the Council will require any applications for alternative uses to demonstrate that the site has been marketed for employment use on the open market for a minimum period of 18 months. Only after this period, and subject to no interest being received for the identified employment uses, will an application for an alternative use be considered further. This applies to site allocations within the Plan, as well as those sites contributing to meeting identified employment needs over the Plan Period, including</u></p>	<p>Support extension of plan period, see previous comments on employment land calculation.</p> <p>Noted.</p> <p>Support.</p> <p>See previous comments on employment land calculation.</p> <p>See previous comments on employment land calculation.</p> <p>Support.</p>

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	<p><u>but not limited to land at Florida Farm North, Land north of Penny Lane, Land at Lea Green Farm West and Gerards Park, College Street.”</u></p> <p>“4.12.4720 Alternative uses may also be appropriate where there is no current or likely future market demand for employment uses on the site and / or its reuse for such purposes would not be viable currently or in the long term. The Local Economy Supplementary Planning Document (2013) outlines the evidence applicants will be required to provide in relation to the marketing and viability of employment sites before their loss for other uses can be supported. <u>This outlines the requirement for existing employment sites to carry out a minimum of 12 months marketing for employment uses in order to identify that the site is not viable in the long-term.”</u></p> <p>“Green Belt Exceptional circumstances</p> <p><u>4.12.22 The following paragraphs articulate the exceptional circumstances justifying the removal of land from the Green Belt on a site by site basis. This builds on the exceptional circumstances strategic case as set out in the Reasoned Justification to Policy LPA02, and the following should be read in that context.</u></p> <p><u>1EA – Omega South Western Extension, Land north of Finches Plantation, Bold</u></p> <p><u>4.12.23 The Green Belt Review (2018) found the sub-parcel reflecting this site to make a ‘medium’ contribution to the Green Belt purposes as whilst the site contains no inappropriate development and has open views across it, it is bordered by large scale built development at Omega South and the M62, and therefore only has a moderate countryside character. The Review also found the site to have ‘medium’ development potential.</u></p>	<p>Support</p> <p>No comment to make.</p>

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	<p><u>4.12.24 The site is adjacent to the Borough’s boundary with Warrington Borough, and its development would form a natural extension of the adjacent Omega employment site. This is particularly important in relation to the exceptional circumstances in the context of this site being allocated to help meet Warrington’s employment needs.</u></p> <p><u>4.12.25 The site is within 1km of an area within the 20% most deprived population in the UK, so its development for employment uses would help to reduce poverty and social exclusion. Further, the development of this site, provides the opportunity to improve sustainable transport links between St Helens and this site, as well as the wider Omega employment site, improving access to jobs in this location for residents of St Helens.</u></p> <p><u>4EA – Land south of Penny Lane, Haydock</u></p> <p><u>4.12.26 This site forms a relatively small part of a larger parcel of land that the Green Belt Review (2018) found to make a ‘medium’ contribution to the purposes of the Green Belt, with ‘good’ development potential. It should be noted that the parcel of land assessed in the Green Belt Review included the land to both the north and south of Penny Lane. In this context, a significant part of the assessed Green Belt parcel (11.05ha) has an extant planning permission for employment development, of which the majority has now been developed. This is the land to the north of Penny Lane. The site forms a natural extension to the Haydock Industrial Estate. Indeed, given the development of land to the north of Penny Lane, this site is now surrounded by built development of the Haydock Industrial Estate to the north, east and south, and the M6 to the west. The site is also located in close proximity to an area that falls within the 20% most deprived population in the UK. Therefore, its development for employment use would help to reduce poverty and social exclusion.</u></p>	

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	<p><u>The development would also reduce the need to travel by making best use of existing transport infrastructure due to its location close to a high frequency bus service.</u></p> <p><u>5EA – Land to the West of Haydock Industrial Estate, Haydock</u> <u>4.12.27 The Green Belt Review (2018) found the sub-parcel of land reflecting this site to make a ‘medium’ contribution to the Green Belt purposes. The site adjoins the large built up area of Haydock, but is relatively well contained and strategic gaps between Haydock and elsewhere could still be maintained following the release of this site from the Green Belt. The Review also found the site to have ‘good’ development potential. The removal of this site from the Green Belt in conjunction with site 6EA, and the now developed employment land at Florida Farm North presents the opportunity to provide a stronger, more robust boundary in this location. The site is located within 1km of an area falling within the 20% most deprived population in the UK. Its development for employment use would help reduce poverty and social exclusion and help reduce the need to travel through making best use of existing transport infrastructure due to its location close to a high frequency bus service.</u></p> <p><u>6EA – Land West of Millfield Lane, south of Liverpool Road and north of Clipsley Brook, Haydock</u></p> <p><u>4.12.28 The Green Belt Review (2018) found the sub-parcel of land reflecting this site to make a ‘medium’ contribution to the Green Belt purposes. At the time the Green Belt Review was undertaken, this site did not adjoin a large built-up area, but was considered in part to prevent ribbon development along Liverpool Road. Since that time, employment development at Florida Farm North has taken place adjacent the southern boundary of the site. This site would form a natural extension to the Haydock Industrial Estate, and its development</u></p>	

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	<p><u>would provide a stronger, more robust Green Belt boundary. The site is located within 1km of an area falling within the 20% most deprived population in the UK. Its development for employment use would help reduce poverty and social exclusion</u></p> <p><u>7EA – Parkside East, Newton-le-Willows</u></p> <p><u>4.12.29 The Green Belt Review (2018) found this site to make a ‘high+’ contribution to the Green Belt purposes due to its significant size, lack of enclosure to the east and strong countryside character with little inappropriate development. On this basis, the site would not ordinarily have progressed to further assessment. However, the Review acknowledged that the site forms part of the wider Parkside site, straddling the M6, for which there has been a long history of developer interest, including a planning application for a Strategic Rail Freight Interchange (SRFI), the area being highlighted as a potential location for an inter-modal freight terminal in the previous North West RSS and the Core Strategy (2012) identifying the site as a strategic location for a SRFI. Furthermore, the evidence in the Parkside Logistics and Rail Freight Interchange Study (August 2016) found the site to be of regional and national significance in relation to regional and national policy, market demand and the need to deliver new and improved SRFIs, with the site’s opportunity for rail access to be second to none in the North West.</u></p> <p><u>4.12.30 This site has excellent locational advantages in relation to the delivery of an SRFI, including accessibility by rail with north-south and east-west routes immediately adjacent, as well as proximity to the M6, Junction 22. The evidence also indicates that the site is of a sufficiently large scale and layout to provide the necessary operational requirements of a SRFI. The development of a SRFI on this site would support the Government’s policy to move freight from road to rail.</u></p>	

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	<p><u>4.12.31 Therefore, whilst development of this site could have a high impact on the Green Belt, there are exceptional circumstances justifying its release from the Green Belt for development as a SRFI and the site is considered to have ‘good’ development potential.</u></p> <p><u>8EA – Parkside West, Newton-le-Willows</u></p> <p><u>4.12.32 The Green Belt Review (2018) found the parcel of land reflecting this site boundary to make a ‘medium’ overall contribution to the Green Belt purposes, influenced by the relatively high degree of enclosure, brownfield status of part of the site (former colliery and associated uses) and because it does not have a strong sense of openness or countryside character. It also found the site to have ‘good’ development potential. It’s scale and location, particularly in relation to the transport network, makes it ideal for employment uses to meet the identified employment needs. It will also support the delivery of the SRFI on Parkside East (site 7EA).</u></p> <p><u>4.12.33 The site is located within 1km of an area within the 20% most deprived population in the UK, so not only will development of the site bring wider economic benefits, it will also help to reduce poverty and social exclusion, and due to its public transport links, would help to reduce the need to travel by car.</u></p> <p><u>4.12.34 The relevance of paragraph 138 of the NPPF should also be noted given the importance of giving “first consideration to land which has been previously developed and / or is well-served by public transport” when a conclusion has been reached that it is necessary to release Green Belt land for development. The exceptional circumstances for removing land from the Green Belt to meet identified development needs is set out in the Reasoned Justification to Policy</u></p>	

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	<u>LPA02, and given the brownfield nature of much of this site, and for the other reasons set out, there are exceptional circumstances justifying the removal of this site from the Green Belt.</u>	
MM008	<ul style="list-style-type: none"> • “1EA: Omega South Western, Land north of Finches Plantation, Bold; • 2EA: Land at Florida Florida Farm North, Slag Lane, Haydock²² • 6EA: Land west of ...” <p>Delete footnote 22</p> <p>“5. The masterplans for each Strategic Employment Site, and any planning application for development within any other allocated employment site, must address the site specific requirements set out in Appendix 5 (in the case of sites 1EA, and 6EA, 2EA and 8EA) and Policies by LPA10 and <u>LPA12</u> (in the case of sites 7EA and 8EA).”</p>	No comment to make.
MM009	<p>“1. In the period from 1 April 2016 to 31 March 2037 5 a minimum of 9,234 10,206 net additional dwellings should be provided in the Borough of St. Helens, at an average of at least 486 dwellings per annum.”</p> <p>“a) at least 40 dwellings per hectare (dph) on sites that are within or adjacent to St. Helens or Earlestown Town Centres; and</p> <p>b) at least 30 dph on all sites outside St. Helens and Earlestown town centres. that are within or adjacent to a district or local centre or in other locations that are well served by frequent bus or train services; and</p> <p>c) at least 30 dph on other sites that are within an existing urban area. Densities of less than 30 dph will only be appropriate where they are necessary to achieve a clear planning objective, such as avoiding harm to the character or appearance of the area.”</p> <p>“b) If annual monitoring demonstrates the deliverable housing land supply falls significantly below the required level, taking into account the</p>	<p>Support extended plan period, see previous submissions on housing requirement calculation.</p> <p>Support.</p> <p>The text should be amended to take into account that monitoring could also show a</p>

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	<p><u>requirements in relation to housing delivery set out in national policy</u>, a partial or full plan review <u>update</u> will be considered to bring forward additional sites.”</p> <p>Updated version of Table 4.5 provided in Annex 8 to replace Table 4.5 in the LPSD, to remove site 3HA as an allocation and update other sites to reflect the latest housing trajectory.</p> <p>“24 The NDA (net developable area) for each site is an estimate of the area available to accommodate new housing once an allowance, typically 725%, has been made for features that are not included when calculating density e.g., areas performing a function for the wider area and not just the development , such as significant new landscaping buffers, potential new schools, areas of strategic open space and roads to serve the wider area. <u>Therefore, most sites will have a NDA of 75%.</u>”</p> <p>“4.18.1 ... The requirement of 9,234 <u>10,206</u> dwellings per annum set out in Policy LPA05 is designed to meet the full Objectively Assessed”</p>	<p>position of over-supply, as well as one of under-supply. Proposed amendment: “If annual monitoring demonstrates the deliverable housing land supply falls significantly below the required level <u>or there is a position of over-supply, taking into account the requirements in relation to housing delivery set out in national policy</u>, a partial or full plan review <u>update</u> will be considered, <u>in the first instance</u>, to bring forward additional sites, <u>or in the second instance, to ensure safeguarded and Green Belt land continues to be protected.</u>”</p> <p>Noted.</p> <p>Support.</p> <p>Support extended plan period, see previous submissions on housing requirement calculation.</p>

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	<p>“4.18.4 ... Application of the national standard method using this approach would generate a housing need of 468 424 new dwellings per annum27.</p> <p>Changes to Footnote 27.</p> <p>“4.18.10 ... The St. Helens Strategic Housing Land Availability Assessment (SHLAA) 2017 (as updated with the latest information as at 1 April 2021) identifies that sites in the urban area (as at 1 Apr 2017) had a total capacity of 7,817 6,114 dwellings. This figure includes sites with planning permission, sites under construction, other sites identified as suitable for housing and an allowance of 93 units per annum from small windfall sites of less than 0.25ha (based upon past delivery rates). The largest SHLAA sites are allocated as sites 3HA, 9HA and 10HA in Policy LPA05.”</p> <p>“4.18.12 ... In total, the allocated brownfield sites (3HA, 6HA, 9HA and 10HA) have an estimated capacity of 2,029 1,611 dwellings in the Plan period. The location of sites that have been released from the Green Belt has been determined by the St. Helens Green Belt Review. In total, the former Green Belt sites (1HA, 2HA, 4HA, 5HA, 7HA, and 8HA) have an estimated capacity of 2,056 2,114 dwellings in the Plan period.”</p> <p>“4.18.14 The density of development on each allocated site should be at or above the minimum figures given in Table 4.5. The stated capacities of each site listed in the table are indicative, and do not represent either maximum or minimum figures reflecting the minimum densities and anticipated net developable areas set out. The actual capacity will also be determined having regard to the acceptability of specific proposals in relation to relevant national and local policies.”</p> <p>Replace LPSD Table 4.6 with Tables 5.2 - 5.5 provided in Annex 3.</p>	<p>Support, see our previous submissions on the use of the standard method housing need figure. Our position remains unchanged.</p> <p>Changes to Footnote 27 noted.</p> <p>Support.</p> <p>See previous submissions on the need for Green Belt land release.</p> <p>Support.</p> <p>Support.</p>

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	<p>Remove Footnotes 29-33 in their entirety.</p> <p>“4.18.19 ... It is assumed that the majority of housing on most sites allocated in Policy LPA05 will be developed in their entirety within the Plan period. ...”</p> <p>Replace LPSD Table 4.7 and Figure 4.3 in the Plan with the table and trajectory provided in Annex 11.</p> <p>“4.18.21 ... the Council may undertake a Local Plan update review to bring forward additional sites such as those ...”</p> <p>Add the 5 year housing land supply tables in Annex 4 to the end of the Reasoned Justification of Policy LPA05 under a new sub-heading ‘Five year housing land supply’, along with the following text:</p> <p><u>“Five year housing land supply</u></p> <p><u>4.18.22 The following tables provide the current housing land supply position, and set out the key assumptions and parameters used to calculate it.”</u></p> <p>[then insert tables in Annex 4]</p> <p><u>Following on from the end of the Reasoned Justification new paragraph 4.18.22 on five year housing land supply, the following text is to be added</u></p> <p><u>“Green Belt Exceptional circumstances</u></p> <p><u>4.18.23 The following paragraphs articulate the exceptional circumstances justifying the removal of land from the Green Belt on a site by site basis. This builds on the exceptional circumstances</u></p>	<p>Support.</p> <p>Support.</p> <p>Support.</p> <p>Noted.</p> <p>Support</p> <p>Object, see our previous submissions on housing requirement and Green Belt.</p>

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	<p><u>strategic case as set out in the Reasoned Justification to Policy LPA02, and the following should be read in that context.</u></p> <p><u>1HA – Land south of Billinge Road, East of Garswood Road and West of Smock Lane, Garswood</u></p> <p><u>4.18.24 The Green Belt Review (2018) found the parcel of land corresponding to this site to make a ‘low’ overall contribution to the Green Belt purposes. In summary, all sides of the site have strong boundaries, and it is therefore well contained. The strategic gap between Billinge and Garswood could also be maintained notwithstanding the release of this site from the Green Belt. It also found the site to have ‘good’ development potential. The site is in a sustainable location within walking distance of a local shop and public transport links, including the nearby railway station. Safe access to the site can be provided, and a suitable sustainable drainage scheme also. Indeed, development of this site could help solve flooding issues in the surrounding urban area. The Sustainability Appraisal (SA) found development of the site would result in a high number of positive effects.</u></p> <p><u>2HA – Land at Florida Farm (South of A580), Slag Lane, Blackbrook</u></p> <p><u>4.18.25 The Green Belt Review (2018) found the parcel of land generally reflecting this site to make a ‘low’ overall contribution to the Green Belt purposes, with strong permanent boundaries and not having a sense of openness or countryside character. In summary, there is existing residential development on three sides of the site, and the East Lancashire Road (A580) on the fourth side. It also found the site to have ‘good’ development potential. The site is in a sustainable location with good levels of accessibility to key services and jobs (including at the Haydock Industrial Estate). The site presents no technical constraints</u></p>	

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	<p><u>that cannot be satisfactorily addressed. Indeed, the provision of flood mitigation measures for the site could have the beneficial effect of helping alleviate flooding in the wider area. The SA found development of the site would have a mixed impact on achieving SA objectives, with a high number of positive effects, including good access to public transport and employment opportunities.</u></p> <p><u>4HA – Land bounded by Reginald Road / Bold Road / Travers Entry / Gorsey Lane / Crawford Street, Bold (Bold Forest Garden Suburb)</u></p> <p><u>4.18.26 The Green Belt Review (2018) found the parcels of land that form this site make a ‘low’ to ‘medium’ contribution to the purposes of the Green Belt, with ‘good’ development potential. The land on which the site is located forms a notable indent in the alignment of the southern edge of the built up area of St Helens. Whilst there are open views across the parcel, it has strong, robust physical boundaries including existing development to the north, east and west, and Gorsey Lane to the south. The site has good levels of accessibility to jobs in nearby industrial areas, and to public transport services, including via St Helens Junction railway station.</u></p> <p><u>4.18.27 The site would be sufficiently large to include new social infrastructure (ie. a new primary school, local retail centre and potentially health facilities). It is a major strategic opportunity to provide a wide range of new housing in an area that is close to some of the more deprived parts of the Borough, and incorporate and deliver the framework and philosophies of the Bold Forest Park Area Action Plan. There are no technical constraints to development of this site that cannot be satisfactorily addressed. Due to its scale and location, development of this site would contribute strongly towards meeting the strategic aims and objectives of the Local Plan.</u></p>	

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	<p><u>5HA – Land South of Gartons Lane and former St. Theresa’s Social Club, Gartons Lane, Bold</u></p> <p><u>4.18.28 The Green Belt Review (2018) found the parcel of land generally corresponding to this site boundary to make a ‘low’ overall contribution to the purposes of the Green Belt, benefitting from a high degree of visual enclosure with strong, robust boundaries. The Review also found the site to have ‘good’ development potential. The site is in a sustainable location with good transport links, including safe, convenient access by foot to the nearest local centre, bus stops and a railway station. It would form a natural expansion of the surrounding settlement and help deliver a range of housing in a relatively deprived area. Development of the site also provides the opportunity to facilitate improvements in line with the Bold Forest Park Area Action Plan. The SA found development of the site would have a mixed impact on the achievement of SA objectives, with a high number of positive effects.</u></p> <p><u>7HA – Land West of the A49 Mill Lane and to the East of the West Coast Mainline railway line, Newton-le-Willows</u></p> <p><u>4.18.29 The Green Belt Review (2018) found the parcel of land containing this site to make a ‘low’ overall contribution to the purposes of the Green Belt, given its strong boundaries, high level of enclosure and the brownfield nature of much of the site. It does not have a strong sense of openness or countryside character. The Review also considered the site to have ‘good’ development potential. The site is in a sustainable location within a convenient walking distance of a local centre, various employment areas (existing and planned), a railway station and other public transport facilities. There are no technical constraints on the site that cannot be satisfactorily addressed. The SA concluded that development of the site would result in a high number of positive effects. This site is of particular significance given its</u></p>	

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	<p><u>brownfield nature, and the importance of making effective use of such land, where appropriate.</u></p> <p><u>8HA – Land South of Higher Lane and East of Rookery Lane, Rainford 4.18.30 The Green Belt Review (2018) found the sub-parcel of land reflecting this site boundary to make a ‘low’ overall contribution to the Green Belt purposes given its limited role in preventing sprawl and the merging of settlements. It also has strong boundaries and a high degree of visual containment. The Review found the site to have ‘good’ development potential. The site is sustainable, with good access to public transport, the local highway network and employment areas. There are no technical constraints that cannot be satisfactorily addressed. The SA found that development of the site will have a mixed impact on the achievement of SA objectives, with a high number of positive impacts. The location of the site also aligns with the Plan’s spatial strategy as Rainford is identified as a Key Settlement.”</u></p>	<p>Object, see our previous submissions on this site.</p>
<p>MM010</p>	<p>“1. The following sites allocated under Policy LPA0535 shall constitute Strategic Housing Sites:</p> <ul style="list-style-type: none"> • 2HA: Land at Florida Farm (South of A580), Slag Lane, Blackbrook • 3HA: Former Penlake Industrial Estate, Reginald Road, Bold • 4HA: Land bounded by Reginald Road / Bold Road / Travers Entry / Gorse Lane / Crawford Street, Bold (Bold Forest Garden Suburb)” <p>Footnote 35 Within the list of Strategic Housing Sites, sites 3HA, 9HA, and 10HA are subject to ...”</p> <p>“f) a Green Infrastructure Plan addressing biodiversity, geodiversity, greenways <u>(including any proposed new greenways as referred to in</u></p>	<p>Support.</p> <p>Noted.</p>

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	<p><u>policy LPC07</u>), ecological network, landscape character, trees, woodlands and water storage in a holistic and integrated way.”</p> <p>“The masterplans for each Strategic Housing Site, and any planning application for development within any other allocated housing site, must address the indicative requirements set out in Appendix <u>5 (in the case of sites 2HA, 5HA, 6HA, 9HA and 10HA) and Policy LPA13 (in the case of site 4HA).</u>”</p>	<p>Whilst the suggested MM is reasonable our site-specific objections remain unchanged.</p>
<p>MM011</p>	<p>“1. The sites identified as Safeguarded Land on the Policies Map have been removed from the Green Belt in order to meet longer term development needs well beyond the <u>this</u> Plan period. Such Safeguarded Land is not allocated for development in the <u>this</u> Plan period. The future uses that the sites are safeguarded for are listed in Tables 4.7 and 4.8.</p> <p>2. Planning permission for the development of the safeguarded sites for the purposes identified in Tables 4.7 and 4.8 will only be granted following a future Local Plan review <u>update (full or partial)</u> that proposes such development <u>based on the evidence showing a need for this</u>. Accordingly <u>Otherwise</u>, proposals for housing and employment development of safeguarded sites in the <u>this</u> Plan period will be refused.</p> <p>Updated version of Table 4.8 provided in Annex 12 to replace Table 4.8 in the LPSD, to reflect the increased site area and indicative capacity of site 4HS following on from the site boundary change.</p> <p>“4.24.1 In accordance with Policy LPA02, the sites listed in Tables 4.7 and 4.8 have been safeguarded to meet potential long term development needs. Whilst they have been removed from the Green Belt, they are not allocated for development before 2035<u>7</u>. Their purpose is to ensure that the new</p>	<p>MM supported, subject to our previous objections not finding favour.</p> <p>MM supported, subject to our previous objections not finding favour.</p> <p>Noted.</p> <p>Support for extended plan period.</p>

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	<p>Green Belt boundaries set by this Plan can endure well beyond 20357<u>7</u>. The reasons why specific sites are safeguarded rather than allocated for development before 20357<u>7</u> are set out in the St. Helens Green Belt Review 2018. The safeguarded sites are protected from other forms of development that would prevent or significantly hinder their future development for the uses identified in Tables 4.7 and 4.8. This is to ensure that, potentially, they could be used for these purposes in the future.</p> <p>4.24.2 The development of the safeguarded sites for the purposes in Tables 4.7 and 4.8 will only be acceptable if a future Local Plan <u>update, either full or partial,</u> confirms that such development is both acceptable and required, <u>and proceeds to allocate such sites for development in that update. The Council may undertake and bring into effect such a Local Plan update within the current plan period of 2020-2037, should this be required and justified by the latest evidence.</u> This e-case for developing the sites is likely to be informed by the level of need for housing and / or employment development (whichever use is identified for the specific site) compared to site supply, infrastructure capacity <u>and needs</u> and any other factors that may affect the delivery of the sites at that time.</p> <p>4.24.4 The estimated combined capacity of the sites safeguarded for housing is 2,739<u>644</u> dwellings. To this can be added the indicative post-20375<u>5</u> delivery of 2,995 <u>3,223</u> dwellings projected on the allocated housing sites 2HA, 4HA, 5HA, 6HA and <u>10HA</u> (see Policy LPA05, Table 4.5) the delivery of which is expected to continue well beyond 20375<u>5</u>. Further contributions are likely to be made from windfall sites and other sources after 20375<u>5</u>. It should also be noted that household growth rates in St. Helens Borough are currently projected to reduce in the years up to, and after, 20375<u>5</u>, meaning that it is likely that post-20375<u>5</u>, housing needs may be lower than between 2020 and 20375<u>5</u>.</p> <p><u>“Green Belt Exceptional circumstances</u></p>	<p>MM supported, subject to our previous objections not finding favour.</p> <p>Updated figures noted.</p> <p>See our previous submissions on Green Belt.</p>

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	<p><u>4.24.6 The following paragraphs articulate the exceptional circumstances justifying the removal of land from the Green Belt on a site by site basis for safeguarding for development beyond the end of the plan period. This builds on the exceptional circumstances strategic case as set out in the Reasoned Justification to Policy LPA02, and the following should be read in that context.</u></p> <p><u>Employment safeguarded sites</u></p> <p><u>1ES – Omega North Western Extension, Bold</u></p> <p><u>4.24.7 The Green Belt Review (2018) found the sub-parcel of land reflecting this site boundary to make a ‘medium’ overall contribution to the Green Belt purposes as it contains no inappropriate development and has open views across the site, but it is bordered by large scale built development at Omega North and the M62 and therefore only has a moderate countryside character. It should be noted that this contrasts with the scoring of other Green Belt parcels in this area which were found to make a ‘high’ or ‘high+’ contribution to the Green Belt purposes.</u></p> <p><u>4.24.8 The site has potential to form a logical extension to the Omega employment site. However, there are current highway and accessibility constraints that would require mitigation, including the provision of access across land in separate ownership. Further, as Junction 8 of the M62 experiences congestion and capacity issues, the cumulative impacts of development of this site would need to be addressed in conjunction with Warrington Borough Council and Highways England. Due to the location of the site within 1km of an area of 20% of the most deprived population in the UK, development of this site would help to reduce poverty and social exclusion. This site therefore has clear</u></p>	

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	<p><u>potential to meet longer term employment needs, and by safeguarding it, there is time to address the highways and access issues noted.</u></p> <p><u>2ES – Land North East of Junction 23 M6 (South of Haydock racecourse), Haydock</u></p> <p><u>4.24.9 The Green Belt Review found the parcel of land generally reflecting this site boundary to make a ‘high’ overall contribution to the Green Belt purposes. Whilst ordinarily a site with such a score would not be considered further, there is a clear need to provide sufficient land for employment both within the plan period, and beyond it. Given the importance of meeting such needs, coupled with the potential of the site to meet the size and locational requirements of the market, there are exceptional circumstances to safeguard this site for longer term needs beyond the Plan period. Whilst there are clear harms in relation to the development of this site, including harm to Green Belt and adverse landscape impacts, it should also be noted that the site is located within 1km of an area with the 20% most deprived population in the UK, so development here in the longer term would help to reduce poverty and exclusion. Whilst the site did not score as well as the allocated employment sites through the Green Belt Review, the need to make provision for employment land beyond the Plan period forms the basis for the exceptional circumstances to justify the removal of this site from the Green Belt for safeguarding.</u></p> <p><u>Housing safeguarded sites</u></p> <p><u>1HS – Land south of Leyland Green Road, North of Billinge Road and East of Garswood Road, Garswood</u></p> <p><u>4.24.10 The Green Belt Review (2018) found the sub-parcel of Green Belt land containing this site to make a ‘medium’ contribution to the</u></p>	

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	<p><u>Green Belt purposes and has a ‘medium’ development potential. The site is within walking distance of a local convenience shop and is readily accessible by bus and rail. There are not considered to be any technical constraints to delivering development on this site that cannot be satisfactorily addressed over the necessary timeframe. However, as the site projects further into the countryside than housing allocation 1HA, it is considered to be a less logical extension to the village within the Plan period. On that basis, site 1HA is allocated for development within the Plan period, and this site is safeguarded for development subsequent to that, beyond the end of the Plan period to meet longer term needs, creating a logical phased extension of the village both within and beyond the Plan period.</u></p> <p><u>2HS – Land between Vista Road and Belvedere Road, Earlestown</u></p> <p><u>4.24.11 The Green Belt Review (2018) found the sub-parcel of land that contains this site to make a ‘medium’ contribution overall to the Green Belt purposes, and also found the site to have ‘good’ development potential. The site proposed for safeguarding sits within a notable indentation in the existing urban edge and benefits from clearly defined boundaries. There are not considered to be any technical constraints that cannot be addressed satisfactorily to enable this site to meet development needs beyond the end of the Plan period.</u></p> <p><u>3HS – Former Eccleston Park Golf Club, Rainhill Road, Eccleston</u></p> <p><u>4.24.12 The Green Belt Review (2018) found the parcel of land that generally reflects the boundary of this site to make a ‘low’ overall contribution to the Green Belt purposes, due to its strong boundaries and because of the extent of urban development around its boundaries and its limited role in preventing the merging of settlements. However, the site is identified as being affected by a number of constraints that</u></p>	<p>Object – in addition to our previous submissions – the following response is made in relation to SHBC’s proposed MM: the “extent of urban development” (SHBC’s phrase) around the site’s boundaries is not an exceptional circumstance, nor an illustration of the site’s “limited role” in preventing the merging of settlements.</p>

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	<p><u>will have a significant impact on its net developable area and deliverability of development within it, including its use as a golf course, constraints in relation to the highway network and some physical constraints within the parcel itself, including electricity pylons, the proximity of the railway line in noise terms, woodland to the north of the parcel and some infrastructure assets running through the parcel as advised by United Utilities.</u></p> <p><u>4.24.13 Notwithstanding this, the site has good accessibility to a range of services, jobs and public transport (including Eccleston Park railway station). The safeguarding of this site is justified to help meet development needs beyond the Plan period, and will provide sufficient time to satisfactorily address the identified constraints, and exceptional circumstances are therefore justified.</u></p> <p><u>4HS – Land East of Newlands Grange (former Vulcan works) and West of West Coast mainline, Newton-le-Willows</u></p> <p><u>4.24.14 The Green Belt Review (2018) found the parcel of land that contains this site to make a ‘low’ overall contribution to the purposes of the Green Belt and has ‘medium’ development potential. The site is in a sustainable location, within walking distance of a local convenience shop and public transport facilities. However, the highway network in the surrounding area has a number of constraints, and further work is required prior to development coming forward. Further, attenuation measures will be required to limit noise from the railway line running along the eastern site boundary. However, the site is considered able to contribute to potential development needs beyond the end of the Plan period, and by safeguarding the site, there is sufficient time for the above issues to be addressed.</u></p>	<p>Indeed, this description in the MM reinforces the point made in submissions, and during the hearing, that the Golf Club is the only and, therefore, key open land site in this area and as such is crucial in preventing the merging of settlements.</p> <p>We note this area’s significant range of constraints.</p>

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	<p><u>5HS – Land West of Winwick Road and South of Wayfarers Drive, Newton-le-Willows</u></p> <p><u>4.24.15 The Green Belt Review (2018) found the sub-parcel of land within which this site sits to make a ‘low’ overall contribution to the Green Belt purposes and have ‘medium’ development potential. The site is within a sustainable location, close to a railway station. The site is affected by a number of constraints, which will require further investigation before development can be brought forward, including the difficulty of providing a secondary access to the site, the proximity to a Local Wildlife Site and a historic landfill site in close proximity to the site (to the south), and associated potential contamination issues. There is also a railway line to the east of the site, so noise attenuation measures would be required. The sub-parcel is considered suitable to help meet needs in the longer term beyond the Plan period, and the safeguarding of the site will enable the required further investigation in relation to the above constraints to make efficient use of land within the site.</u></p> <p><u>6HS – Land East of Chapel Lane and South of Walkers Lane, Sutton Manor</u></p> <p><u>4.24.16 The Green Belt Review (2018) found the sub-parcel of land that reflects this site to make a ‘low’ overall contribution to the Green Belt purposes as it is well contained with strong boundaries and does not significantly contribute to the wider strategic gap. The site has ‘medium’ development potential. The site does project notably outwards into the countryside from the current urban edge and is considered more suitable as a longer term extension of the urban area, contributing to meeting housing needs after the end of the Plan period. Other technical constraints on the site (such as the presence of</u></p>	

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	<p><u>protected woodland and a Local Wildlife Site) are considered able to be satisfactorily addressed.</u></p> <p><u>7HS – Land South of Elton Head Road (adjacent to St. John Vianney Primary School), Thatto Heath</u></p> <p><u>4.24.17 The Green Belt Review (2018) found the sub-parcel that broadly reflects this site boundary to make a ‘low’ contribution to the Green Belt purposes as it is well contained with strong boundaries and does not significantly contribute to the wider strategic gap. The site was also considered to have ‘medium’ development potential. The site is sustainably located within walking distance of a local convenience shop and accessible by public transport users and the local highway network. As the surrounding area includes opportunities for redevelopment of previously developed sites, to ensure an appropriate phasing of development within the Thatto Heath area, it is appropriate to delay any development on this site until after the end of the Plan period. Therefore, it is safeguarded to meet development needs for the longer term.</u></p> <p><u>8HS – Land South of A580 between Houghtons Lane and Crantock Grove, Windle</u></p> <p><u>4.24.18 The Green Belt Review (2018) found the parcel of land that reflects this site boundary to make a ‘low’ overall contribution to the Green Belt, with a ‘medium’ development potential. The site comprises a significant greenfield site that forms a sizeable outward extension of the urban area into the countryside. The site also has a number of technical issues which would need to be addressed prior to development, including required significant improvements to highways infrastructure and suitable ecological evidence in relation to the potential of the site to provide functionally linked habitat for bird</u></p>	<p>See our previous submission on 7HS.</p> <p>SHBC’s exceptional circumstances argument is flawed. By acknowledging that this is a “significant greenfield site” and that the site “forms a sizeable outward extension of the urban area into the countryside” – SHBC’s “exceptional circumstances” case demonstrates that the site serves 3 of the 5 purposes of Green Belt:</p> <p>a) it checks the unrestricted sprawl of a large built-up area;</p>

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	<p><u>species, which may require a mitigation strategy. Such issues could take some time to address. Furthermore, given the scale of the site, some social infrastructure (such as a primary school) is likely to be required. There are further physical constraints in relation to the site, which could likely be addressed satisfactorily. On the basis of the above, this site provides the opportunity to meet longer term development needs, and safeguarding the site will provide sufficient time to address the identified issues.</u></p>	<p>c) it assists in safeguarding the countryside from encroachment; and e) it assists in urban regeneration, by encouraging the recycling of derelict and other urban land.</p> <p>The MM wording demonstrates that the site makes a high, rather than low, overall contribution to the purposes of Green Belt.</p> <p>We note the “number of technical issues” associated with the site.</p>
<p>MM012</p>	<p>“1 ... a) Secure the delivery of new or improved road, <u>rail</u>, walking, cycling, and / or bus infrastructure where required;”</p> <p>“2. All proposals for new development that would generate significant amounts of transport movement must be supported by a Transport Assessment or Transport Statement, <u>the scope of which must be agreed by the Council.</u>”</p> <p>“4. To minimise air and noise pollution and carbon emissions, non-residential forms of development that would generate a significant amount of transport movement by employees or visitors must be supported by suitably formulated Travel Plans. Conditions and/or legal agreements will be used to ensure that Travel Plans submitted in such cases are fully implemented and monitored.”</p> <p>“6. Direct access from new development on to the Strategic Road Network will only be permitted <u>as a last resort</u>, where agreed by Highways England</p>	<p>Support.</p> <p>Support.</p> <p>Support.</p> <p>Support.</p>

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	<p><u>and where the necessary levels of transport accessibility and safety could not be more suitably provided by other means.</u></p> <p>“Carbon Emissions and air quality</p> <p>4.27.2 Transport is a major source of carbon emissions that, in turn, area a major cause of climate change. Therefore, transport can play a key part in the development of a low carbon economy. Many of the priorities identified in this Policy will play an important part in helping to reduce carbon emissions resulting from transport, <u>and therefore supporting the Council’s Climate Change Emergency declaration.</u> Measures to reduce the need to travel, widen travel choice and reduce dependence on the private car, alongside investment in low-carbon vehicle technologies area an important part of helping to meet national climate change targets. Similarly they form an important part of the Council’s drive to tackle air quality issues, particularly (but not exclusively) within Air Quality Management Areas”</p> <p><u>“Proposed Major Road Network 4.27.9 As part of the Transport Investment Strategy published in 2017, the Government committed to creating a Major Road Network (MRN). Draft proposals were issued for consultation, outlining how a new MRN would help the Government deliver a number of objectives, including supporting housing delivery and economic growth. The creation of an MRN will allow for dedicated funding from the National Roads Fund to be used to improve this middle tier of the busiest and most economically important local authority ‘A’ roads. Parts of the A58 and A570, and the whole of the length of the A580 which falls in St Helens, have been proposed for inclusion in the MRN.</u></p> <p><u>Supporting Supplementary Planning Guidance</u> <u>4.27.109 A new Supplementary Planning Document”</u></p>	<p>Support.</p> <p>Noted.</p>

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MM013	<p>“2. Subject to compliance with relevant legislation and national policy, development proposals will be expected to include or contribute to the provision, improvement or replacement of infrastructure that is required to meet needs arising from the development proposal and / or to serve the needs of the wider area. This may include direct provision of on-site or off-site infrastructure and / or financial contributions that will be secured by:</p> <p>a) Section 106</p> <p>“5. When assessing planning proposals, the Council and other decision makers will pay due regard to any impact that developer contributions towards infrastructure provision or other policy requirements may have on the economic viability of new development. In this context, consideration will be given to economic viability evidence including any site specific development appraisal that may have been submitted to determine the ability of the development scheme to support the required level of contributions. <u>In light of the viability evidence, where a developer can demonstrate that meeting all policy requirements would not be viable, a pragmatic approach will be taken to s106 contributions on sites within zone 1.</u>”</p> <p>“Hierarchy of Developer Contributions</p> <p>6. Decision makers will, as a general rule, apply the following hierarchy for developer contributions in cases where viability constraints can be demonstrated (with i) being the highest priority):</p> <p>i) contributions that are essential for public safety (for example essential highway works or flood risk mitigation) or to achieve a minimum acceptable level of design quality;</p> <p>ii) contributions that are necessary to provide affordable housing or to address a local infrastructure requirement or deficiency that would be caused or exacerbated by the development, <u>depending on site surroundings and</u></p>	<p>Amend as follows: “meet needs <u>and/or mitigate impacts</u> arising from the development proposal”</p> <p>Replace “will” in final line of MM with “may have to”</p> <p>Noted.</p>

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	<u>the level of existing infrastructure</u> , for example education needs or greenspace provision in areas of deficit; and iii) contributions that would not fall into categories i) or ii) as set out above.”	
MM014	<p>“1. Green Infrastructure in St Helens Borough comprises a network of multi-functional natural assets, including green space, trees, woodlands, mosslands, grasslands and wetlands, located within urban, semi-urban and countryside rural rural areas.”</p> <p>“4. ... Development that would result in the loss, fragmentation or isolation of green infrastructure assets will be refused. The only exception to this will be where it has been demonstrated that:</p> <p>a) appropriate protection or retention of Green Infrastructure assets cannot be achieved <u>in the pursuit of wider planning objectives</u>;</p> <p>b) the development would bring benefits that would over-ride the resultant harm; and</p> <p>c) there are no realistic alternatives to the proposed development that would avoid such harm.</p> <p>In such cases, mitigation, <u>for example, in the form of incorporating the identified Green Infrastructure assets into the scheme design and layout through a masterplanning process to maintain the key Green Infrastructure assets and connections</u>, and / or as a last resort compensatory provision will be required.”</p> <p>“4.33.1 Policy LPA09 aims to protect, enhance and sustain the Borough’s natural assets and increase accessibility to them and connectivity between them, whilst protecting and enhancing landscape character, to ensure that the natural environment underpins the quality of life. The Green Infrastructure network in the Borough has a wide range of functions and values for recreation and tourism, air <u>quality (supporting the Council’s Climate Change Emergency declaration)</u>, public access, health, heritage,</p>	<p>Support.</p> <p>Amend MM to read “in the pursuit of wider Local Plan objectives”.</p> <p>Support.</p> <p>Support.</p>

St Helens Local Plan Main Modifications – Response of SHGBA

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	<p>biodiversity, water management and landscape character; providing a sense of place ...”</p> <p>“4.33.2 The Green Infrastructure network includes, (in addition to urban greenspaces, trees, and water bodies etc.) the countryside around the towns, which accounts for around 50% of the Borough’s land area. This is predominantly productive farmland. The importance of countryside around the Borough’s more urban locations was recognised by the pilot study Countryside In and Around Towns undertaken with the Countryside Agency (now Natural England) in 2006. In implementing Policy LPA09 (in both urban and rural areas) the Council will seek to liaise closely with, and where necessary work in partnership with, landowners.”</p>	Noted.
MM015	Site 7EA	No comments.
MM016	<p>“The Council will work with its health and wellbeing partners to promote public health principles, maximise opportunities for people to lead healthy and active lifestyles, and reduce health inequalities for residents within the Borough. Planning decisions and processes will be used to <u>Through the planning system, the Council will seek to:</u></p> <ol style="list-style-type: none"> 1. encourage improved access ... “ 2. ensure the provision of easy-to-maintain, safe and attractive public areas and green spaces to serve new development that minimise the opportunity for and fear of crime and <u>anti-social behaviour</u> and that promote social cohesion and mental wellbeing; 	Support.
MM017	Parkside West	No comments.
MM018	New Policy LPA13: Bold Forest Garden	No comments.

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MM019	<p><u>“2. The English Cities Fund Regeneration Partnership will help deliver a comprehensive redevelopment of the Town Centre and Central Spatial Area, including new commercial activity, upgraded infrastructure, the provision of quality housing, and the overall improvement of the social and economic viability of the area.</u>”</p> <p>23. Proposals for retail and leisure development will be directed” Subsequent policy sections will be renumbered accordingly.</p> <p>“34. Proposals for the change of use of units in the Primary Retail Frontages Shopping Area in St Helens Town Centre will be refused unless they would be to a Class A145 retail use or another main town centre use or uses that would contribute positively to the overall vitality and viability of the centre. Development proposals within the Primary and Secondary Frontages that would not result in an active ground floor use with a window display frontage will be refused.”</p> <p>Delete footnote 45</p> <p>“5.3.1 The St. Helens Central Spatial Area (as shown in Appendix 11 <u>and on the Policies Map</u>) includes the Town Centre and its surrounding hinterland. This includes ...”</p> <p>“5.3.6 The Strategy set out a vision for the future of the town centre detailing thematic initiatives to deliver this. <u>In January 2020 the Council successfully received an initial £173,029 capacity fund as part of the Governments Town Deal initiative. The Council has now successfully secured significant investment of up to £25 million. This funding will be used to help increase economic growth with a focus on land use and regeneration, improved connectivity (both transport and better broadband connectivity), skills and employment, and heritage, arts and</u></p>	Support.

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	<p><u>culture. A Town Investment Plan will be developed and will sit alongside the Town Centre Strategy.</u></p> <p>“5.3.8 The 'Area of Opportunity', referred to in the Strategy, has been identified due to the potential to reconfigure and / or redevelop land and premises close to Church Square and Chalon Way for suitable town centre uses. <u>To support this initiative and to assist in the regeneration of the area, the Council has entered into a regeneration partnership with the English Cities Fund to deliver a comprehensive redevelopment of the Town Centre (and wider Borough on a phased basis).</u>”</p> <p>“5.3.9 To guide the application of the policies concerning main town centre uses, a Primary Shopping Area and Primary and Secondary Retail Frontages have been identified in line with the definitions in the NPPF (see Appendix 11).”</p> <p>Re-numbering of subsequent Reasoned Justification paragraphs to be done.</p> <p>“5.3.409 The first preference for the location of new retail <u>Class E and Sui Generis retail main town centre uses</u> development is within the Primary Shopping Area. Proposals for retail <u>Class E and Sui Generis retail main town</u> uses...”</p> <p>“5.3.13 The Primary Retail Frontages are areas where there should be a particular focus on retail uses. This is because such uses are a key driver of footfall and help to draw shoppers into the centre. Proposals for non-retail uses in these frontages will be resisted unless their approval would be consistent with the aim of maintaining and enhancing the overall functionality, vitality and viability of the town centre. Specific considerations to be taken into account when assessing such proposals in the Primary Retail Frontage include the existing proportion of retail uses, the nature of the proposed use and the location of the unit affected within the Primary Retail Frontage.</p>	

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	<p>5.3.14 The Secondary Frontages will provide greater opportunities for a diversity of uses such as restaurants, cinemas and non-retail business uses such as banks, estate agents and other services. The Council will resist proposals within the primary or secondary frontages that would result in the loss of an active ground floor use with open display windows.”</p> <p>Re-numbering of subsequent Reasoned Justification paragraphs to be done.</p>	
MM020	<p>“4. The delivery and implementation of a Council-led strategy to provide a framework for the future regeneration and development of the town centre will be supported. <u>The English Cities Fund Regeneration Partnership will help deliver a mix of residential, leisure, business and retail development all centred around the Town Centre.</u>”</p> <p>“5.6.3 The Council will seek to safeguard <u>and build upon</u> this important role and function by applying the 'town centre first' approach to ensure that Earlestown remains the Borough's second centre providing a highly sustainable location for retail and other services. <u>Through its partnership with the English Cities Fund the Council will work towards creating a mix of residential, leisure, business and retail development all centred around the Town Centre.</u>”</p> <p>“5.6.8 To provide a focus for future development of the town centre and positively promote Earlestown as a location to live, <u>through the English Cities Fund Regeneration Partnership</u>, the Council and its partners intend to bring forward a dedicated Town Centre strategy, ………”</p>	Support.
MM021	<p>“1. New market and affordable housing must <u>should</u> be well designed to address local housing need and include a range of types, tenures and sizes of homes as informed by <u>up-to-date</u>, relevant evidence including the <u>Borough’s latest Strategic Housing Market Assessment (SHMA).</u>”</p>	Object. The MM is not consistent with the NPPF, paragraph 134 of which states “Development that is not well designed should be refused”. The use of the word

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	<p>"2. Where a proposal for new housing would be on a greenfield site on which the site as a whole would deliver 25 or more new homes, the Council will apply optional standards as set out in Parts M4(2) and M4(3) of the Building Regulations 2010 (as amended) so that:</p> <p>a) At least 20% of the new dwellings across the whole site must be designed to the "accessible and adaptable" standard set out in Part M4(2)<u>a</u>; and</p> <p>b) At least 5% of the new dwellings across the whole site must be designed to the "wheelchair user" adaptable dwellings standard set out in Part M4(3).</p> <p>"3. At least 5% of new homes on greenfield sites that would deliver 25 or more dwellings should be bungalows. Exceptions to paragraphs 1 to 3 of this Policy may be made where the applicant"</p> <p>"5<u>4</u>. The Council will work with partners to facilitate the provision of <u>bungalows, and</u> specialist and supported housing for elderly and vulnerable</p>	<p>"should" implies there may be instances where development may not be well designed. We would suggest the following amendment:</p> <p><u>"Well designed N</u>new market and affordable housing must be well designed to address local housing need and include a range of types, tenures and sizes of homes as informed by relevant evidence including the Borough's latest Strategic Housing Market Assessment (SHMA) <u>will be supported</u>. <u>Development that is not well designed will not be acceptable.</u></p> <p>No comment to make.</p> <p>Support.</p>

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	<p>people. Provision of sheltered housing, extra care housing, retirement accommodation and residential care homes should be easily accessible</p> <p>“6.3.3 ... extend this assessment of annual need up until the end of the Plan period (20372035). Of the overall housing provision of 10,206 9,234 dwellings (set out in Policy LPA05) it is therefore anticipated that about 2,457 223 (24%) should be affordable. The amount of”</p> <p>“6.3.8 Having regard to these factors (including the findings of the St. Helens Local Plan Economic Viability Assessment 2018), Policy LPC01 requires that in new developments of 25 or more dwellings, at least 20% of the new homes will be constructed to ‘accessible and adaptable’ standards, as contained in Part M4(2)a of the Building Regulations, and that at least 5% of new homes should be designed to the ‘wheelchair user’ adaptable dwellings’ standards set down in Part M4(3) of the Building Regulations. This will ensure that a proportion of all homes available in the Borough will be suitable and / or can be adapted, without undue difficulty, for occupation by residents who are wheelchair users and to ensure that these homes will also be accessible to visitors with limited mobility. <u>A 12 month transition period will be applied from the adoption date of the Plan, following which time this requirement will apply to all relevant sites subject to a planning application, unless an exception as outlined in section 4 of the Policy is demonstrated by site specific evidence.</u>”</p>	<p>Support.</p> <p>Support.</p>
MM022	<p>“2. Proposals for new open market housing developments of 14 10 units or more, <u>or when the number of units is not known, sites of 0.5ha or more,</u> will be required to.....”</p> <p>“6.6.9 The St. Helens Affordable Housing SPD (2010) will be updated as necessary to assist the implementation of Policy LPC02. <u>Furthermore, it is acknowledged that ‘First Homes’ have been introduced by the Government, and fall within the definition of ‘affordable housing’.</u></p>	Support.

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	<p><u>However, as this Plan is being progressed under the First Homes transitional arrangements, it is not required to reflect the First Homes policy requirement. Instead, this will be addressed in a future update of the Plan.</u></p>	
MM023	Gypsy and Travellers	No comments to make.
MM024	<p><u>“2. The development of main town centre uses within the defined centres will be supported. Proposals for other uses in such locations will be considered having regard to the scale and nature of the proposal and the role and function of the centre.</u> Planning permission will only be granted for development that is appropriate in terms of its scale and nature relative to the role and function of each centre.”</p>	Support.
MM025	<p>“Open space fulfils a variety of important functions of value to the public. For example, it provides opportunities for: formal and informal recreation and activities; play and social interaction; environmental enhancement and attractiveness; wildlife conservation; education; food growing; and quiet contemplation. It provides strong health and well-being benefits for local people. <u>Furthermore, provision of new and / or enhancement of existing open spaces will support the Council’s Climate Change Emergency declaration.</u>”</p> <p>“7.3.11 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). Any requirement for new sports facilities will be additional to this. <u>Further, even where there is considered to be sufficient open space in quantitative terms, larger residential developments may be expected to provide certain types of open space (such as play areas for children and young people and</u></p>	<p>Support.</p> <p>Support.</p>

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	<p><u>amenity green space) to provide local recreational opportunities and visual relief as part of an attractive and well designed development.”</u></p> <p>Remove paragraphs 7.3.11 and 7.3.12 (inclusive of Table 7.1) from the reasoned justification for Policy LPC05, and add into the reasoned justification for Policy LPD03, and adjust paragraph numbering in both Reasoned Justification sections accordingly. Table 7.1 will also need to be renamed Table 8.1 to follow the table numbering convention, and references to this table updated in the ‘List of Tables’ (page 2) and within the policy text of LPC05 and LPD03.</p>	
MM026	<p>“1. In accordance with NPPF Paragraph 175, the Council is committed to ensuring the protection and enhancement of St Helen’s biodiversity and geological asset and interests. In order to do this, the Council will have regard to the following hierarchy of nature Conservation sites when making planning decisions, according to their designation as follows:</p> <ul style="list-style-type: none"> –International and European Sites –Sites of Special Scientific Interest –Local Wildlife Sites –Local Nature reserves –Local Geological Sites –Priority Habitat(s) –Impact on Legal Protected Species and/or priority Species <p>The following hierarchy of sites and habitats are found in the Borough:</p> <ul style="list-style-type: none"> i) International <ul style="list-style-type: none"> • Functionally Linked Land (FLL) for sites of international nature importance (European Sites) including the Ribble and Alt Estuaries Special Protection Area (SPA), Martin Mere SPA, the Mersey Estuary SPA, Liverpool Bay SPA. ii) National <ul style="list-style-type: none"> • Sites of national nature importance, which in St.Helens Borough include 2 Sites of Special Scientific Interest, Stanley Bank Meadow and Highfield Moss 	Support.

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	<p>iii) Local</p> <ul style="list-style-type: none"> • Sites of local nature and geological importance, which in St.Helens Borough include Local Nature Reserves (LNRs), Local Wildlife Sites (LWSs) and Local Geology Sites (LGSs) <p>In addition, priority habitats and species, and legally protected species.</p> <ul style="list-style-type: none"> • Sites of national nature importance, which in St.Helens Borough include 2 Sites of Special Scientific Interest, Stanley Bank Meadow and Highfield Moss <p>iii) Local</p> <ul style="list-style-type: none"> • Sites of local nature and geological importance, which in St.Helens Borough include Local Nature Reserves (LNRs), Local Wildlife Sites (LWSs) and Local Geology Sites (LGSs) <p>In addition, priority habitats and species, and legally protected species.</p> <p>European Sites</p> <p>1. 2. Development that is likely to have a significant effect (either alone or in combination with other plans or projects) on one or more internationally important site(s), including any areas of supporting habitat that are functionally linked to the site(s), must be accompanied by sufficient evidence to enable the Council to make a Habitats Regulations Assessment. Adverse effects should be avoided, or where this is not possible, be mitigated to protect the integrity of the site(s). Development that would adversely affect the integrity of one or more internationally important site(s) will only be permitted where there are no alternative solutions or and there are imperative reasons of overriding public interest, and where suitable compensatory provision has been made. Any mitigation or compensatory provision must be assessed in a project related Habitats Regulations Assessment and be fully functional before any likely adverse effect arises.</p> <p>Other protected sites, habitats and species</p> <p>2. 3. Development that would cause significant harm to a Site of Special Scientific Interest (SSSI), Local Wildlife Site, Local Nature Reserve, Local</p>	

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	<p>Geological Site, Priority Habitat(s), legally Protected Species and / or Priority Species, without adequate mitigation that would not be adequately mitigated or as a last resort compensated, will be refused.</p> <p>3. 4. Development that would be likely to cause any harm to ecological or geological interests will only be permitted in:</p> <p>a) Sites of Special Scientific Interest where there are no alternatives and where the benefits of the development would clearly outweigh any harm to the nature conservation value of the site and its broader contribution to the Liverpool City Region (LCR) ecological network; and</p> <p>b) Local Sites (Local Wildlife Sites, Local Nature Reserves and Local Geological Sites) and Priority Habitats: where the benefits of the development would clearly outweigh any harm to the nature conservation value of the site (or Priority Habitat) and its broader contribution to the LCR Ecological Network.</p> <p>Mitigation, replacement or other compensatory provision</p> <p>4. 5. Where necessary to avoid harm, appropriate mitigation, replacement or other compensatory provision will be required. The location of such measures will be targeted, using the following sequential approach (with (a) being the preferred approach and (d) being the least preferred):</p> <p>a) on the development site;</p> <p>b) locations within the immediate locality and /or supporting LCR Ecological Network;</p> <p>c) locations that fall within the LCR Nature Improvement Area and within the Borough; and lastly</p> <p>d) locations that fall within the LCR Nature Improvement Area but outside the Borough.</p> <p>This sequential approach will also apply to the delivery of Biodiversity Net Gain improvements to be delivered in line with new development, in accordance with the Environment Bill.”</p>	

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	<p>Evidence requirements</p> <p>5. 6. Development proposals that would affect a designated nature conservation site, Priority Habitat(s), legally protected species or Priority Species must be supported by an Ecological Appraisal and include details of any necessary avoidance, mitigation and / or compensation proposals, and of any proposed management measures.</p> <p>6. Designated sites are shown on the Policies Map and Plan policies will also apply to any other sites that may be recognised during the Plan period as being of nature conservation importance, including land provided as compensation.”</p> <p>“7. Further details concerning the implementation of this policy will be set out in the Council's proposed Nature Conservation Supplementary Planning Document.”</p> <p>“7.6.1 The Liverpool City Region (LCR) authorities have identified an Ecological Network that includes a Core Biodiversity Area of designated nature and geological sites, Priority Habitats, wildlife corridors and stepping stone habitats. The LCR Nature Improvement Area (NIA) identifies opportunities for further habitat restoration, creation or enhancement, focussed within 17 Nature Improvement Focus Areas, 2 of which are located wholly or in part within St.Helens Borough. The following hierarchy of sites and habitats are found within the Borough:</p> <ul style="list-style-type: none"> • Functionally Linked Land (FLL) for sites of international nature importance (European Sites) including the Ribble and Alt Estuaries Special Protection Area (SPA), Martin Mere SPA, the Mersey Estuary SPA, Liverpool Bay SPA and the Manchester Mosses Special Area of Conservation; • Sites of national nature importance, which in St.Helens Borough include 2 Sites of Special Scientific Interest; • Sites of local nature and geological importance, which in St.Helens Borough 	

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	<p>include Local Nature Reserves (LNRs), Local Wildlife Sites (LWSs) and Local Geology Sites (LGSs)</p> <p>• Priority habitat and species, and legally protected species.</p> <p>7.6.2 Policy LPC06 sets out how sites, habitats and species within this the hierarchy of sites, habitats and species will be protected and managed with the objective of ensuring that there will be no net loss of the ecological resource. The policy will also guide how appropriate mitigation, replacement or other compensation measures should be identified.”</p> <p>“7.6.5 It has been identified that new housing development in the Liverpool City Region Borough, particularly when considered cumulatively, may is likely to cause significant ecological effects on the Sefton Coast SAC and other designated European sites around the Liverpool City Region due to increased recreational pressure. The Council is working with other local authorities and partner organisations in the City Region to quantify these effects and to identify, through the preparation of a City Region wide Recreation Mitigation Strategy, a strategic and consistent approach to any mitigation that is required. This may include the use of developer contributions (if these are shown to be necessary to mitigate the effects of development in different parts of the City Region on the European sites). Any such contributions linked to development in St Helens Borough will be proportionate to the identified scale of its impacts. The Council will use this approach, subject to agreement of its details, to address this issue.</p> <p><u>7.6.6 The City Region Recreation Mitigation Strategy referred to in paragraph 7.6.5 above has yet to be completed. However, within St Helens any developer contributions are likely to be focussed at least in part on the delivery of strategic greenspace enhancements in the local area, for example at Bold Forest Park. The Bold Forest Park (BFP) Area Action Plan forms part of the St Helens Development Plan and provides a framework for the development of the BFP area, which covers about</u></p>	<p>Comment: the SHBC position suggests there are significant effects on designated sites, but these have not been quantified. Nor has the scope of any mitigation been identified. We would question the validity and legality of this approach, but accept it is for the statutory bodies to advise on such matters.</p>

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	<p><u>1,800ha of land in the southern part of the Borough. Due to its location on the urban fringe of St Helens, the BFP is potentially accessible to a large sub-regional population and is capable of playing an important role as an alternative recreational destination. The Council will continue to promote the BFP as a sub-regional greenspace and to seek opportunities for additional funding to help improve the functionality and management of the BFP.</u></p> <p><u>Nationally and locally important sites and species</u> 7.6.67 Paragraphs 2-4 3-5 of Policy LPC06 set out the requirements for development that would affect nationally and locally important sites and species, including how any benefits from such development will be weighed against its impact on nature conservation interests and the ecological network as a whole.</p> <p><u>7.6.8 As at October 2020, there are seven LNRs in St Helens Borough which collectively cover an area of 11.27 hectares these are listed below.</u> <u>Local Nature Reserves in St Helens</u> [Table not included in this response]</p> <p><u>St Helens Borough includes 116 Local Wildlife Sites. These are Listed in Appendix B of the Nature Conservation SPD.</u></p> <p>7.6.79 For Sites of Special Scientific Interest, significant harm includes adverse effects on the site’s notified special interest features. The advice of suitably competent persons should be sought by applicants and the decision maker in relation to this policy. The focus of significant harm and the approach regarding avoidance, mitigation, replacement or other compensatory provision to secure no net loss of biodiversity is in line with principles set out in the NPPF, Planning Practice Guidance 06/2005 Biodiversity and Geological Conservation, and Biodiversity 2020: A strategy for England’s wildlife and ecosystems services.</p>	

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	<p>7.6.8 The Council and other public bodies have a duty, under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 to conserve biodiversity when carrying out their normal functions. This duty includes Priority Habitats and Species, that are defined as “habitats and species of principal importance” for the conservation of biodiversity in England. The Secretary of State has identified, in accordance with Section 41 of the Act, 65 Priority Habitats and 1,150 Priority Species. Priority habitats sit outside the hierarchy of designated sites and may be of national (e.g., ancient woodland) or local importance.</p> <p>7.6.910 The Priority Species in St.Helens ...”</p> <p>“7.6.167will be set out in the Council’s Nature Conservation SPD.</p> <p><u>Monitoring</u></p> <p><u>7.6.18 Monitoring of Biodiversity Net Gain is likely to be undertaken in response to Government requirements outside the scope of the Local Plan. Further clarity on this is awaited at the national level.”</u></p>	
MM027	<p><u>“3) The Council will support the expansion of the Greenway network, including through the provision of new routes, such as those set out in Figure 7.2, subject to the availability of funding and other feasibility requirements being met.”</u></p> <p>“7.9.3 Greenways provide a range of benefits to the community such as sustainable access between homes, local services and employment sites and a healthy form of recreation. They also provide wildlife habitat and corridors, enhance the landscape and townscape and help the Borough to adapt to the effects of climate change. <u>Collectively, greenways support the Council’s Climate Change Emergency declaration through</u></p>	Support.

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	<u>providing opportunities to travel by sustainable modes.</u> The European Greenways Association defines greenways as ...”	
MM028	“7.15.1 The NPPF states that the planning system <u>planning policies and decisions</u> should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes <u>recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital.</u> ”	Object. The proposed MM deletes the reference to “valued landscapes”, when Policy LPC09: “Landscape Protection and Enhancement” to which this Reasoned Justification is concerned with landscapes. The deleted text “by protecting and enhancing valued landscapes” should be reinstated and consideration to a fuller, more accurate and relevant quotation/summary of paragraph 174 of NPPF from which the MM text is taken.
MM029	“6. Development proposals should <u>must</u> be designed and laid out in a manner that would retain <u>not damage or destroy</u> any tree subject to...” “7.18.2 Trees and woodlands are an integral component of Green Infrastructure forming part of the network of natural habitats and improving the visual appearance of the countryside and urban areas. They also provide opportunities for the positive use of the Green Infrastructure for recreation, education, health, biodiversity, regeneration and mitigation of adverse effects caused by climate change, air pollution and water run-off. <u>Therefore, the retention of existing, and the planting of new trees and woodland areas will support the Council’s Climate Change Emergency declaration.</u> Their value is recognised in the Regional Forestry Framework Woodland”	Support. Support.
MM030	<u>“3. The impact of development proposals on the significance of heritage assets and their settings will be considered in accordance with case law, legislation and the National Planning Policy Framework. Development affecting heritage assets</u>	Support.

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	<p><u>Development affecting heritage assets</u></p> <p>3.4. Development proposals that would lead to substantial harm to (or total loss of significance of) a designated heritage asset will be refused permission unless it can be demonstrated that:</p> <p>a) the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or total loss; or</p> <p>b) all the other exceptions set out in paragraph 195 of the National Planning Policy Framework (or any successor national policy that supersedes this paragraph) apply.</p> <p>4. Where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against any public benefits of the proposal including, where appropriate, securing its optimum viable use.</p> <p>5. Development involving harm to or loss of any non-designated heritage asset (such as any building identified on a Local List prepared by the Council) will <u>only be permitted where the benefits are considered sufficient to outweigh the harm, having regard to the scale of the harm and the significance of the heritage asset.</u> refused unless any public benefit from the development would outweigh such harm or loss.</p> <p>6. Development and other works will be required to preserve or enhance the appearance, character and setting of all heritage assets (whether designated or not) by using good design and appropriate materials, detailing, scale, massing, siting, layout and landscaping.</p> <p>7 <u>6.</u> Where the complete or partial loss of any heritage asset is justified, the asset's significance must be recorded to a standard agreed by the Council and made publicly available.</p> <p>Areas of archaeological interest</p>	

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	<p>8-7. Any development proposal that may affect one or more asset(s) of ...” Re-number subsequent Policy sections</p>	
<p>MM031</p>	<p><u>Flood Risk</u></p> <p><u>1. The impact of development proposals on flood risk and water management assets will be considered in accordance with case law, legislation and the National Planning Policy Framework.</u></p> <p>1. Any development proposal that may either be at risk of flooding or cause a material increase in flood risk elsewhere will only be permitted if the flooding issues have been fully assessed and any identified risks would be appropriately mitigated.</p> <p>Any assessment and mitigation should have regard to:</p> <ul style="list-style-type: none"> a) the St.Helens Strategic Flood Risk Assessment; b) advice and guidance from relevant bodies including the Environment Agency and Lead Local Flood Authority; and c) any relevant Surface Water Management Plan or local drainage strategy such as the Sankey Catchment Action Plan, Mersey Estuary Catchment Flood Management Plan or the North West River Basin Management Plan. <p>2. All development proposals must be supported by a Flood Risk Assessment appropriate to their nature and scale where they would be:</p> <ul style="list-style-type: none"> a) within flood zones 2 or 3; or b) on a site of 1 hectare or larger within flood zone 1; or c) on a site of 0.5 hectare or larger within a Critical Drainage Area; or d) in any area identified by the Council as being at intermediate or high risk of surface water flooding. <p>3. New development should be located in accordance with a sequential approach as set out in national policy. Development on sites located in flood zones 2 or 3 will only be allowed if:</p>	<p>Support.</p>

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic text</i>).	SHGBA Response
	<p>a) the Sequential Test has been applied and demonstrates that the development cannot reasonably be accommodated within an area at lower risk of flooding;</p> <p>b) any applicable Exception Test required by national policy has been passed; and</p> <p>c) appropriate mitigation or adaption measures are proposed to satisfactorily reduce the likelihood or impact of flooding.</p> <p>4.2. Measures to manage or mitigate flood risk associated with or caused by new development must (as appropriate having regard to its scale and nature):</p> <p>a) be designed to contribute to the biodiversity of the Borough unless it has been demonstrated that this would not be technically feasible;</p> <p>b) protect heritage assets (such as buried archaeology);</p> <p>c) be fully described in the development proposal; and</p> <p>d) be funded by the developer, including long-term maintenance.</p> <p>5.3. Any proposal for major development⁵⁶ on a site that would abut, run alongside or straddle any watercourse⁵⁷ in the Borough, must include measures to temporarily attenuate and filter flood water in order to: improve water quality; reduce peak flows during flooding; and reduce downstream flood risk, unless it has been demonstrated that this is not feasible or viable. In cases where measures are not currently feasible or viable, the development must not compromise the ability to implement such measures in the future.</p> <p>6.4. The Flood Water Storage Safeguarding Areas as defined on the Policies Map shall be safeguarded for the provision of flood storage. Development within or adjacent to these areas that would have a negative impact on their function as a flood storage area or on their potential to be developed for flood storage infrastructure will not be permitted.</p> <p>Water Quality</p> <p>7.5. Development that would adversely affect the quality or quantity of water in any watercourse or of groundwater or cause deterioration in water body or</p>	

Main Modification Reference	Change (deleted text in strikethrough ; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic text</i>).	SHGBA Response
	<p>element classification levels defined in the Water Framework Directive (WFD) (or in any national regulations covering this matter) will not be permitted. Any planning application for development that could (without effective mitigation) cause such harm must be supported by a Construction Management Plan that sets out how the water environment.</p> <p>Sustainable Drainage Systems 8.6. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. <u>Inclusion of sustainable drainage systems within proposed major development sites will be assessed in accordance with national policy.</u> Surface water should be managed in accordance with the following hierarchy (with a) being the preferred option and d) being the least favourable option): a) an adequate soakaway or other form of infiltration system; b) an attenuated discharge to watercourse; c) an attenuated discharge to public surface water sewer; d) an attenuated discharge to public combined sewer. 9.7. Surface water management infrastructure within new developments should” Re-number subsequent policy sections accordingly.</p>	
MM032	<p>“4. New developments for housing, employment or other uses will be required to meet high standards of sustainable design and construction and minimise carbon emissions <u>equivalent to CSH level 4, ie. 19% carbon reduction against Part L 2013 unless proven unviable.</u> To this end they should use energy efficiently and where feasible incorporate decentralised energy systems”</p> <p>“7.27.1 ...The NPPF indicates that planning has a key role to play in supporting the delivery of renewable and low carbon energy by reducing greenhouse gas emissions and encouraging energy production from such</p>	<p>Support.</p> <p>Support.</p>

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic text</i>).	SHGBA Response
	<p>sources, <u>and this Policy, in conjunction with a number of other Policies in this Plan, will support the Council’s Climate Change Emergency declaration.</u></p> <p>“7.27.5 The Liverpool City Region Renewable Energy Capacity Study 2010 assessed the scope for large scale wind and other forms of renewable energy generation across the City Region. Although it identified some areas of search for wind energy development, none of these were in St.Helens Borough. The Council acknowledges however that some forms of wind energy development may be acceptable within the Borough. In such cases the applicant would need to demonstrate that their development is technically feasible and acceptable taking into account factors such as wind speed, environmental and landscape designations and proximity to sensitive receptors such as residential properties and heritage assets. All proposals will be expected to comply with all relevant criteria set out in Policy LPC13, other policies of this Plan and national policy.”</p>	<p>No comment to make.</p>
<p>MM033</p>	<p>“1. The Council will seek to ensure that the Borough of St. Helens provides a steady and adequate supply of minerals to contribute towards local, regional and national needs. To minimise the ...”</p> <p>Section 4 “4. Proposals for the exploration, extraction, storage, processing and / or distribution of minerals will only be permitted if it has been demonstrated that...”</p>	<p>No comment to make.</p>
<p>MM034</p>	<p>“All proposals for development will be expected, as appropriate having to their scale, location and nature, to meet or exceed the following requirements:</p> <ol style="list-style-type: none"> 1. Quality of the Built Environment <p>a) Maintain or enhance the character and appearance of the local environment, <u>with a focus on the importance of local distinctiveness, as</u></p>	<p>Support.</p>

Main Modification Reference	Change (deleted text in strikethrough ; new text underlined and bold ; changes to diagrams, tables, etc. described in <i>italic text</i>).	SHGBA Response
	<p><u>well as using good design to improve the quality of areas that may have become run down and be in need of regeneration</u>, for example with regard to the siting, layout, massing, scale, design and materials used in any building work, the building-to-plot ratio and landscaping;</p> <p>b) Avoid causing <u>unacceptable</u> harm to the amenities of the local area and surrounding residential and other land uses and occupiers;</p> <p>c) Ensure that the occupiers of new developments will enjoy a <u>high</u> an appropriate standard of amenity and will not be <u>unacceptably</u> adversely affected by neighbouring uses and vice versa;</p> <p>g) Provide landscaping, <u>including tree-lined streets</u>, as an integral part of the development ...</p> <p>h) <u>Encourage the inclusion of</u>, include or contribute make a contribution to, the provision of public art <u>within</u> appropriate <u>schemes</u> circumstances (for example where the development would be of a substantial size and / or in a prominent gateway or town centre location);</p> <p>i) Provide for the needs of special groups in the community such as the elderly and those with disabilities <u>as identified in Policy LPC01</u>; and</p> <p>j) Protect the ...”</p> <p>“8.3.10 As part of the Council’s positive strategy to promote energy from renewable and low carbon sources, new development should also, subject to the requirements of Policy LPC13, be designed to facilitate the incorporation of renewable and / or other low carbon technologies. <u>Taken together, this approach will support the Council’s Climate Change emergency declaration, particularly in respect of delivering energy efficient and low-carbon developments.</u>”</p>	
MM035	<p>“3. Provide appropriate landscaping, <u>including tree-lined streets</u>, using native tree and ...</p> <p>6. avoid causing unjustified harm to the character or setting of any listed building(s), conservation area(s) or any other designated or non-designated</p>	Support.

Main Modification Reference	Change (deleted text in strikethrough ; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic text</i>).	SHGBA Response
	<p>heritage asset, <u>ensure heritage assets are treated</u> in accordance with Policy LPC11 <u>to support the Council’s ambition to promote the conservation and enhancement of the Borough’s heritage assets and their settings in a manner appropriate to their significance;</u></p> <p>7. <u>consider the Borough’s environmental assets (including, but not limited to, biodiversity and associated habitats, landscapes, trees, woodland and hedgerows) in accordance with policies LPC06, LPC08, LPC09 and LPC10</u> avoid causing harm to any important natural habitat, historic or other important landscape, mature tree(s), hedgerow, wildlife habitat, pond or watercourse, and where practicable incorporate positive aspects of these features into its design and layout;”</p>	
MM036	<p>“... a) in the area; or b) the development would generate a need for open space that cannot be satisfactorily or fully met by existing provision in the area.; <u>or c) it is appropriate to provide certain typologies of open space as part of the design to provide accessible children’s play areas and create a visually attractive development.”</u></p> <p>b) the quantity, accessibility and quality of existing provision in the area.</p> <p><u>3. Provision for outdoor sports facilities will be achieved through contributions to enhance existing facilities or the provision of new facilities, which will be informed by the Council’s latest Playing Pitch Strategy and Action Plan.”</u></p> <p>3.4. The required amount of open space ...”</p> <p>Subsequent policy paragraphs to be renumbered.</p>	Support.

Main Modification Reference	Change (deleted text in strikethrough ; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
	<p>“8.9.5 The requirements of Policy LPD03 concerning open space are in addition to any requirements for outdoor sports facilities such as playing pitches. Any requirement for outdoor sports provision that arises from new residential development will be addressed separately in accordance with Policy LPA08: Infrastructure Delivery and Funding and Policy LPC05: Open Space and Outdoor Sports Facilities.”</p> <p>Make changes to the Reasoned Justification in accordance with the modifications listed in this document under MM025, associated with Policy LPC05.</p> <p>Subsequent paragraphs to be re-numbered.</p>	
MM037	<p>“2. There would be no significant adverse impact on the living conditions amenity of any occupiers of neighbouring properties caused by overlooking, loss of privacy or reduction of daylight / sunlight to habitable rooms or garden areas;</p> <p>....</p> <p>4. ... off road parking, or lack of visibility or impact on the safety and free flow of traffic;</p>	
MM038	<p>“All new housing and employment development should make provision for the latest generation of information and digital communication (ICT) networks to a standard that is compatible with the infrastructure available, or is likely to become available in the Plan period, in the area in which the development would be sited. Subject to the requirements of Policy LPA08, contributions may also be sought from developers towards the cost of providing necessary off-site fast broadband infrastructure to serve the area.”</p>	No comment to make.
MM039	<p>“8.27.6 ... All proposals for new development that could give rise to significant amounts of traffic must include information on any increase</p>	Support.

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
	<p>in pollution that would arise as a result of the proposals and identify mitigation measures to address such increases. <u>In doing so, this Policy will support the Council’s Climate Change Emergency declaration.”</u></p> <p>“8.27.7 The Manchester Mosses Special Area of Conservation (SAC) has been identified as being at risk of harm from increased air pollution caused by traffic. For this reason, all proposals for development that would cause an increase in traffic levels that would exceed one or both of the thresholds in paragraph 3 of Policy LPD09 must be accompanied by sufficient evidence to enable the effects upon the SAC to be assessed. <u>Under part 1 of Policy LPC06, smaller development proposals would also need to be accompanied by such evidence if they are likely to have a significant effect alone or in combination with other projects on the SAC. For this purpose, ‘smaller developments’ is defined as meeting the threshold for requiring a transport assessment. This is currently set out in St Helens Borough Council’s ‘Guidance Notes for the Submission of Transport Assessments’ (March 2016). However, the threshold is guidance only, and the circumstances of individual proposals will have an influence, for example, there may be site specific issues or traffic sensitive locations that require assessment, but do not fall within the threshold indicated. This will be determined on a site by site basis.</u> Any significant effects would need to be addressed in line with Policy LPC06.</p> <p><u>“8.27.8 The precise details of the measures required in response to point (3) of policy LPD09 will depend on the details of the development itself. However, effective measures available (depending on the type of development) may include:</u></p> <ol style="list-style-type: none"> <u>1. Electric vehicle charging points at parking spaces;</u> <u>2. Provision of a communal minibus (particularly if electric), and car club space;</u> <u>3. Cycle parking and shower facilities for staff;</u> <u>4. On-site services (e.g. GP surgeries and</u> 	

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
	<p><u>shops) to reduce need for off-site movements;</u> <u>5. Personalised Journey Planning services for residents. If employment premises the company could provide incentives for carsharing and minimising car journeys for work;</u> <u>6. Production of sustainable travel information for residents e.g. accurate and easily understandable bus timetables;</u> <u>7. Implementation of a Staff Management Plan to place restrictions on car use by Staff;</u> <u>8. For vehicles generating HGV movements, restrictions to keep movements below 200 Heavy Duty Vehicles per day, or a commitment to ensuring all HGVs used will be Euro6 compliant.</u></p>	
MM040	<p>“1. Proposals for food and drink uses (including restaurants, cafes, drinking establishments and the sale of hot food for consumption off the premises) <u>which consist of new built development or those that are not classed as permitted development for Change of Use under use Class E or are Sui Generis</u> will only be permitted where all of the following criteria are met:”</p> <p>“8.30.2 Paragraphs 1 and 2 of Policy LPD10 cover food and drink uses within Classes A3 to A5 of the Use Classes Order1 i.e., restaurants and cafes, drinking establishments and hot food takeaways. Paragraphs 3 and 4 of the Policy relate solely to proposals for hot food takeaways falling within use Class A5. The policy does not apply to shops within Use Class A1 that sell food for consumption off the premises. <u>The Government introduced a new Use Class E on 1st September 2020 which now groups Restaurants and Cafes within Use Class E. Therefore, proposals to change within the same use class do not require Planning Permission. Paragraphs 1 and 2 of Policy LPD10 only apply to restaurant and café applications where a new unit is proposed or where the existing use class E cannot be demonstrated. Proposals for drinking establishments and hot food takeaways are now Sui</u></p>	No comment to make.

St Helens Local Plan Main Modifications – Response of SHGBA

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
	<u>Generis and remain unaffected. Paragraphs 3 and 4 of the Policy relate solely to proposals for hot food takeaways.</u>	
MM041	Glossary changes	No comments to make.
MM042	Delete Appendix 2	No comments to make.
MM043	Appendix 4 Monitoring Framework	No comments to make.
MM044	Appendix 5 Site profiles Allocated Employment and Housing Sites	See response on Annex 1
MM045	Appendix 7 Site profiles Safeguarded employment and housing sites	See response on Annex 2
MM046	Appendix 11 St Helens Town Centre Plan	No comments to make
Annex 1 – Site 8HA	Following text addition: • <u>The internal site layout should provide a permeable network for walking and cycling, linking to the external adopted highway and greenway networks. This shall include the provision of pedestrian and cycleway access to and along Rainford Linear Park and to public right of way 831.</u>	No objection to suggested text changes. Our original site objection remains unaffected by this comment.

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
	<p><u>• Accessible bus stops should be provided adjacent to the site according to Merseytravel’s specification.</u></p> <p>Following text deletion:</p> <p>• The design and layout should provide for a range of house types in accordance with Policy LPC01 and LPC02.</p>	
<p>Annex 2 – Site 3HS</p>	<p>Following text deletion:</p> <p>Financial contributions for education and off-site highway works may be required; this will be subject to further assessment at the master planning stage.</p> <p>Following text addition:</p> <p><u>• Any other measures needed to secure suitable access to and through the site by walking, cycling, public transport and other sustainable modes, which should also link to areas of employment, education, health and other services in the surrounding area.</u></p>	<p>No objection to suggested text changes. Our original site objection remains unaffected by this comment.</p>
<p>Annex 2 – Site 6HS</p>	<p>Following text deletions:</p> <p>• Appropriate provision of open space must be included in accordance with Policy LPC05 and LPD03.</p> <p>• The design and layout should provide for a range of house types in accordance with Policy LPC01 and LPC02.</p> <p>Following text addition:</p>	<p>No objection to suggested text changes. Our original site objection remains unaffected by this comment.</p>

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
	<ul style="list-style-type: none"> <u>Measures to secure suitable access to and through the site by walking, cycling, public transport and other sustainable modes, which should also link to areas of employment, education, health and other services in the surrounding area.</u> 	
<p>Annex 2 – Site 7HS</p>	<p>Following text deletions:</p> <ul style="list-style-type: none"> • Appropriate provision of open space must be included in accordance with Policy LPC05 and LPD03. • The design and layout should provide for a range of house types in accordance with Policy LPC01 and LPC02. <p>Following text addition:</p> <ul style="list-style-type: none"> <u>Measures to secure suitable access to and through the site by walking, cycling, public transport and other sustainable modes, which should also link to areas of employment, education, health and other services in the surrounding area.</u> 	<p>No objection to suggested text changes. Our original site objection remains unaffected by this comment.</p>
<p>Annex 2 – Site 8HS</p>	<p>Following text deletions</p> <ul style="list-style-type: none"> • Financial contributions or the provision of on-site infrastructure for education and off-site highway works may be required; this will be subject to further assessment at the master planning stage. <p>Following text addition:</p> <ul style="list-style-type: none"> <u>Measures to secure suitable access to and through the site by walking, cycling, public transport and other sustainable modes, which should also link to areas of employment, education, health and other services in the surrounding area.</u> 	

St Helens Local Plan Main Modifications – Response of SHGBA

Main Modification Reference	Change (deleted text in strikethrough; new text underlined and bold; changes to diagrams, tables, etc. described in <i>italic</i> text).	SHGBA Response
Annex 3		No comment to make.
Annex 4		No comment to make.
Annex 5		No comment to make.
Annex 6		No comment to make.
Annex 7		No comment to make.
Annex 8		No comment to make.
Annex 9		No comment to make.
Annex 10		No comment to make.
Annex 11		No comment to make.
Annex 12		No comment to make.

General Comments

It is believed the Local Plan is unsound as it is not based on conclusive and vigorous evidence and needs modification.

The amount of land being advised as being needed for development is overstated, there are no exceptional circumstances that warrant changing Greenbelt boundaries as previously developed land, Brownfield and contaminated land have not been thoroughly examined. The Greenbelt reviews are erratic and partisan. Economic hypotheses are over-egged.

The Main Modifications do not adequately allay fears in relation to developments 1HA and 1HS until there is guaranteed social infrastructure/infrastructure improvements. Without guarantees the impact on the local community would be catastrophic

The 'renewed focus on a Brownfield-first policy' – identification and remediation of Brownfield/contaminated land over the plan period would negate the need for safeguarded land for development and no exceptional circumstances to remove land from the Greenbelt have been proved.

'Suitable' Greenbelt sites have been selected on the basis that the land parcels are 'well contained with strong boundaries'. That is not an exceptional circumstance and reason to remove from the green belt.

Reasons given for safeguarded land are inconsistent.

Site Specific comments

Reference - MM007

Employment land allocations

Site - 4EA – Land south of Penny Lane, Haydock

4.12.26 This site forms a relatively small part of a larger parcel of land that the Green Belt Review (2018) found to make a 'medium' contribution to the purposes of the Green Belt, with 'good' development potential. It should be noted that the parcel of land assessed in the Green Belt Review included the land to both the north and south of Penny Lane. In this context, a significant part of the assessed Green Belt parcel (11.05ha) has an extant planning permission for employment development, of which the majority has now been developed. This is the land to the north of Penny Lane. The site forms a natural extension to the Haydock Industrial Estate. Indeed, given the development of land to the north of Penny Lane, this site is now surrounded by built development of the Haydock Industrial Estate to the north, east and south, and the M6 to the west. The site is also located in close proximity to an area that falls within the 20% most deprived population in the UK. Therefore, its development for employment use would help to reduce poverty and social exclusion. The development would also reduce the need to travel by making best use of existing transport infrastructure due to its location close to a high frequency bus service.

Comment by RAFFD & GRAG

This site is adjacent to a major tourist destination in Haydock, ie the Mercure Hotel and is in very close proximity to Haydock Park Racecourse.

The hotel has already suffered badly from the inappropriate development of the Briggs Plant Hire Company to the immediate West of its grounds, not what was envisaged for the site by the glossy brochure issued by the developer for what is known as Empress Park.

This parcel of land should be deleted from the proposals and should remain as part of the Greenbelt.

Site - 5EA – Land to the West of Haydock Industrial Estate, Haydock

4.12.27 The Green Belt Review (2018) found the sub-parcel of land reflecting this site to make a 'medium' contribution to the Green Belt purposes. The site adjoins the large built up area of Haydock, but is relatively well contained and strategic gaps between Haydock and elsewhere could still be maintained following the release of this site from the Green Belt. The Review also found the site to have 'good' development potential. The removal of this site from the Green Belt in conjunction with site 6EA, and the now developed employment land at Florida Farm North presents the opportunity to provide a stronger, more robust boundary in this location. The site is located within 1km of an area falling within the 20% most deprived population in the UK. Its development for employment use would help reduce poverty and social exclusion and help reduce the need to travel through making best use of existing transport infrastructure due to its location close to a high frequency bus service.

Comment by RAFFD & GRAG

This parcel of land, together with 6EA below and the already developed Florida Farm North constitute an area of some 160 acres (65 hectares). It is difficult to understand how an area of this size in a rural location can be classified as only having a medium contribution to the Greenbelt. The whole area should have been looked at as one and not divided into smaller parcels.

An application to develop this land for warehousing was rejected by the Council on 23 July 2019 as being inappropriate development within the Greenbelt. Only three members of the Planning Committee voted in favour of granting the application and the developer did not appeal the decision. The developer was so confident that ■■■ application would be granted that prior to the planning committee hearing, and without planning permission, ■■■ erected a sign stating that the warehouses would be coming soon.

Some two and a half years later that illegal sign is still on the site despite complaints being made about it and the Council stating that they would take enforcement action.

6EA – Land West of Millfield Lane, south of Liverpool Road and north of Clipsley Brook, Haydock

4.12.28 The Green Belt Review (2018) found the sub-parcel of land reflecting this site to make a 'medium' contribution to the Green Belt purposes. At the time the Green Belt Review was undertaken, this site did not adjoin a large built-up area, but was considered in part to prevent ribbon development along Liverpool Road. Since that time, employment development at Florida Farm North has taken place adjacent the southern boundary of the site. This site would form a natural extension to the Haydock Industrial Estate, and its development would provide a stronger, more robust Green Belt boundary. The site is located within 1km of an area falling within the 20% most deprived population in the UK. Its development for employment use would help reduce poverty and social exclusion

Comment by RAFFD & GRAG

The first paragraph of the comments about site 5EA above also applies to this proposal. There don't appear to be any concrete proposals as to how this site would be accessed and in the past there have been woolly comments about a link road from Liverpool Road to Haydock Lane through this site and site 5EA above.

Should these sites remain in the Local Plan and subsequent planning permission is granted see my comments later in respect of planning and highways agreements to mitigate the effects of these two developments and the need for the council to manage and monitor the construction in a way that causes the least disruption to residents and highway users.

Housing Land allocations

Reference - MM010

1HA – Land south of Billinge Road, East of Garswood Road and West of Smock Lane, Garswood

4.18.24 The Green Belt Review (2018) found the parcel of land corresponding to this site to make a 'low' overall contribution to the Green Belt purposes. In summary, all sides of the site have strong boundaries, and it is therefore well contained. The strategic gap between Billinge and Garswood could also be maintained notwithstanding the release of this site from the Green Belt. It also found the site to have 'good' development potential. The site is in a sustainable location within walking distance of a local shop and public transport links, including the nearby railway station. Safe access to the site can be provided, and a suitable sustainable drainage scheme also. Indeed, development of this site could help solve flooding issues in the surrounding urban area. The Sustainability Appraisal (SA) found development of the site would result in a high number of positive effects.

Comment by RAFFD & GRAG

The main criteria mentioned for the selection of 'suitable' Green Belt sites remains that parcels are "well contained with strong boundaries". This cannot be an exceptional circumstance for removal from Green Belt.

The perceived benefits of development are over-egged and we object and reject the statement that 'The Sustainability Appraisal (SA) found development of the site would result in a high number of positive effects.'

As far as the comment about '**within walking distance of a local shop**' – much of the area has footways/safe walking routes on only one side of the road.

'Transport links'

The 156 bus service was diverted to accommodate the Florida Farm development – making journey times much longer and less frequent now at one per hour

157 bus service is one per hour no early or late availability (0940-1744 hours).

Train service is one per hour – no access to Liverpool bound platform for those with mobility issues due to 56 stairs, 4 landings, a bridge and no lift.

No proposed additional social infrastructure: doctors – already has a waiting list and not accepting new patients due in part to the national shortage of GPs, there is no dentist in the area, school places, etc.

Effects of Greater Manchester Clean Air Zone are as yet unknown as being on the extremity of the borough and abutting Greater Manchester, the area is likely to become even busier as traffic tries to find ways around the charges. This has not been taken into account.

Should this site remain in the Local Plan then the Highways Service needs to ensure by way of Section 278 Highways Act Agreement that adequate footways are provided in the vicinity of the development and elsewhere in Garswood as there are many highways that only have a footway on one side.

There should also be a provision for a substantial contribution towards the upgrade of Garswood Station, including the provision of a lift.

2HA – Land at Florida Farm (South of A580), Slag Lane, Blackbrook

4.18.25 The Green Belt Review (2018) found the parcel of land generally reflecting this site to make a 'low' overall contribution to the Green Belt purposes, with strong permanent boundaries and not having a sense of openness or countryside character. In summary, there is existing residential development on three sides of the site, and the East Lancashire Road (A580) on the fourth side. It also found the site to have 'good' development potential. The site is in a sustainable location with good levels of accessibility to key services and jobs (including at the Haydock Industrial Estate). The site presents no technical constraints that cannot be satisfactorily addressed. Indeed, the provision of flood mitigation measures for the site could have the beneficial effect of helping alleviate flooding in the wider area. The SA found development of the site would have a mixed impact on achieving SA objectives, with a high number of positive effects, including good access to public transport and employment opportunities.

Comment by RAFFD & GRAG

It is difficult to see how this land, consisting of some 57 acres (23.19 hectares) of farmland in this semirural location, could warrant a description of having a "low overall contribution to the Greenbelt". Having strong, permanent boundaries is not an exceptional circumstance for the removal of land from Greenbelt.

The proposal for yet another left off/left on access on the A580, a high speed highway is an accident waiting to happen, particularly as it is in close proximity to the 4-way junction at Haydock Lane. Vehicles can be held at these lights for lengthy periods and we have experienced at first hand the speeds that some vehicles attain as they race away from the hold up. The Highways Service should ensure, by way of a Section 278 Agreement, that the developer makes a 100% contribution towards the costs of introducing a 40 mph speed limit along this length of the A580, if it has not previously been introduced.

They should also ensure that they receive adequate funding via the Section 278 Agreement to mitigate the effect of this development on the existing highways network, including a commuted sum for the culvert that will be required at the junction of Vicarage Road/Liverpool Road and a sum to cover any contingencies that may arise.

Having experienced the problems caused on the A580 and surrounding highways during the Construction of the Florida Farm North warehouses it is imperative that the Council carefully monitors the site during the initial construction phase of the main access at the junction of Vicarage Road and Liverpool Road, in particular by ensuring that an adequate wheel wash system is installed and used. A rumble strip and a fleet of road sweeping vehicles spreading mud like buttering bread, is **NOT** an acceptable method.

The Council should also address the need for social infrastructure such as doctors and dentists and in particular school placements.

Housing safeguarded sites

Reference MM011

1HS – Land south of Leyland Green Road, North of Billinge Road and East of Garswood Road, Garswood

4.24.10 The Green Belt Review (2018) found the sub-parcel of Green Belt land containing this site to make a 'medium' contribution to the Green Belt purposes and has a 'medium' development potential. The site is within walking distance of a local convenience shop and is readily accessible by bus and rail. There are not considered to be any technical constraints to delivering development on this site that cannot be satisfactorily addressed over the necessary timeframe. However, as the site projects further into the countryside than housing allocation 1HA, it is considered to be a less logical extension to the village within the Plan period. On that basis, site 1HA is allocated for development within the Plan period, and this site is safeguarded for development subsequent to that, beyond the end of the Plan period to meet longer term needs, creating a logical phased extension of the village both within and beyond the Plan period.

Comment by RAFFD & GRAG

We agree with the comments of the St Helens Green Belt Association at MM006 Section 5. Greenbelt release and the identification of Safeguarded land is not necessary.

Reference MM034

All proposals for development will be expected, as appropriate having to their scale, location and nature, to meet or exceed the following requirements:-

- 1.a) Maintain or enhance the character and appearance of the local environment ...
- b) avoid causing unacceptable harm to the amenities of the local area ...

Comment by RAFFD & GRAG

In respect of Garswood the development of the sites 1HA and 1HS will change the character of the village with the loss of open aspect views and farmland habitats.

In respect of site 4EA – land south of Penny Lane, the proposed development will cause unacceptable harm to the amenities of the Mercure Hotel.

RO1410

[REDACTED]

From: Gillian Pilkington [REDACTED] >
Sent: 13 January 2022 11:36
To: planningpolicy@sthelens.gov.uk
Subject: ECRA site 8HS

CAUTION: This email may be from an unknown source. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Hi,

I am Gillian Pilkington, of 4, Sadlers Lane, Eccleston, St. Helens, WA11 7HT.

I am writing to support the issues raised by ECRA and SHGBA.

The green belt land at site 8HS is of great importance for the sustainability of the environment, reducing carbon and climate change. It is not only grade 1 and 2 farmland but crucial to providing habitats for wildlife and green open spaces for people to walk. This is vital for our health and mental well-being.

There are numerous brownfield sites in St. Helens which can be built upon and it is totally unnecessary to build on green belt land.

Gillian Pilkington

Sent from my iPhone

RO1418

From: Gill Ping <[REDACTED]>
Sent: 13 January 2022 11:34
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan

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Having carefully considered the Local Plan and the impact it will have on my local area, on top of what the Council has already done to it, can it be put on record that I wholeheartedly agree with the comments already made by RAFFAD and CRAG.

Gill Ping, 6 Elstead Grove, Garswood

[Sent from the all-new AOL app for iOS](#)

R01457

From: Martin Price <[REDACTED]uk>
Sent: 12 January 2022 21:12
To: planningpolicy@sthelens.gov.uk
Subject: Bold and Clock Face Action Group

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Mr Martin Price
18, Crawford Street
Clock Face
St. Helens
WA9 4XQ

I have read through the findings which were identified by the Bold and Clock face action group and agree to the findings.

Regards,

Martin Price

RO1466

[REDACTED]

From: Terry Quinn [REDACTED]
Sent: 11 January 2022 17:53
To: planningpolicy@sthelens.gov.uk
Subject: Local plan

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I would like to register my support for the comments made by RAFFD & GRAG THANK YOU

Sent from my iPad.