

RO1475

From: Cheryl Rank [REDACTED]
Sent: 04 January 2022 17:33
To: planningpolicy@sthelens.gov.uk
Subject: Local plan Windle Green Belt

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 be advised that I endorse the issues raised in the report commissioned by St Helens Greenbelt Association on behalf of the SHGBA. St Helens has sufficient Brownfield land to meet recognised needs for the foreseeable future, and should be explored more.

Cheryl Rank
84 St George's Ave
WA10 6HD.

RO1477

[REDACTED]

From: Barbara Ann Ratcliffe [REDACTED]
Sent: 12 January 2022 18:04
To: planningpolicy@sthelens.gov.uk
Subject: Land to Rear of 522 - 524 Fleet Lane Parr St Helens WA9

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 write in connection with the above land.

It is my opinion that correct procedures have never been put in place to make this a wildlife area.

I believe that it has been proposed for a number of years and at no point have the representatives from the authority asked for permission to go on to the site.

In the plan it has been proposed to make the land a wildlife area. We have objected to this as a family from the beginning. Our agents have prepared an alternative scheme to no avail.

The council have used the piece of land in partnership with Merseyside police to explode grenades transported in from the Huyton area. We were informed at a meeting with your wildlife representative that we could do nothing with the land.

I have stated in previous correspondence that I believe the council are trying to obtain this piece of land by stealth to extend the Bold Forest area.

I believe that what is being proposed is against the owners wishes and is illegal.

I look forward to hearing from you in due course.

Yours faithfully

Ann Ratcliffe

RO1483

[REDACTED]

From: sheila rattigan [REDACTED]
Sent: 06 January 2022 21:25
To: planningpolicy@sthelens.gov.uk
Subject: Main Modification Representation Bold

Follow Up Flag: Follow up
Flag Status: Completed

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Dear Sir,

I am writing to inform you that I fully endorse the findings of Bold and Clock Face Action Group. I have read these modifications and I agree with everything in their findings.

Regards Sheila Rattigan

R01545

[REDACTED]

From: Alastair Rooke [REDACTED]
Sent: 08 January 2022 18:51
To: planningpolicy@sthelens.gov.uk
Subject: Save the green belt

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Dear Sir or Madam,

Having read the report I totally endorse the issues raised on behalf of the SHGBA. There is sufficient brown field land to meet our recognised need for the foreseeable future and building on green belt makes no sense whatsoever.

Kind regards,

Mr A Rooke
10 Ansdell Drive
Ecclestone
WA105DW

R01574

From: Sayce, Stephen [REDACTED]
Sent: 11 January 2022 14:09
To: planningpolicy@sthelens.gov.uk
Cc: [REDACTED]
Subject: St. Helens Borough Local Plan Submission Draft: EA Response
Attachments: St Helens Local Planb - Mods EA position.pdf

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To whom it may concern.

Please find attached the formal representation of the Environment Agency to the recent Main Modifications consultation.

Kind Regards

Steve Sayce
Strategic Planning (*Focus on Liverpool City Region*)

The Environment Agency
Sustainable Places

[REDACTED]
[REDACTED]



Does Your Proposal Have Environmental Issues or Opportunities? Speak To Us Early!

If you are planning a new project or development, we want to work with you to make the process as smooth as possible. Early engagement can improve subsequent planning applications to you and your clients' benefit and deliver environmental outcomes. For a cost recovery fee of £100 per hour + VAT we will provide you with a project manager who will coordinate all meetings and reviews in order to give you detailed specialist advice with guaranteed delivery dates. More information can be found on our website [here](#).

Creating a better

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LOCAL PLAN

St Helens Borough Council
St Helens Town Hall
Victoria Square
St Helens
WA10 1HP

Our ref: SO/2006/000314/CS-
05/SB2-L01

Date: 11 January 2022

St. Helens Borough Local Plan Submission Draft: Schedule of Proposed Main Modifications Town and Country Planning (Local Planning) (England) Regulations 2012

Thank you for notification of the formal consultation of the Schedule of Proposed Main Modifications for the St Helens Borough Local Plan 2020-2035 Submission Draft, which was received in this office 18th November 2021.

Environment Agency comments

We consider the Main Modifications to be legally compliant and ‘sound’ with regards to matters within our planning remit.

We have no further comments to make.

Yours faithfully

Mr Stephen Sayce
Technical Specialist - Liverpool City Region Lead



Environment Agency
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.



www.gov.uk/environment-agency

End

RO1615

①

27, GARTONS LANE

ST HELENS BOROUGH COUNCIL CLOCK FACE

ST HELENS

MERSEYSIDE

02-12-21

DEAR COMMITTEE,

I STRONGLY OPPOSE YOUR
PLANS TO BUILD "569" (OR ANY NUMBER)
OF UNITS/HOUSES IN THE AREA

"5HA. 1E GARTONS LANE/JUBITS LANE.

THIS AREA IS OR WAS GREENBELT.

POINTS OF CONCERN

1. ONLY ONE DOCTORS SURGERY TO
COVER THE AMOUNT OF ADDED
PEOPLE THAT WILL BE LIVING IN THE AREA,
THE SURGERY IS OVERUN AS IT IS.
THERE COULD BE IN EXCESS OF
11000 MORE PEOPLE REQUIRING
THIS DOCTORS SURGERY.

2. THE AMOUNT OF EXTRA CARS/VANS
Etc TRYING TO GAIN ACCESS
ONTO GARTONS LANE, JUBITS LANE.

Cont 1

②

THESE ARE VERY BUSY ROADS
WITH ADDED PROBLEM, THAT
GARTONS LANE HAS TRAFFIC
GOING IN AND COMING OUT
OF SEVEN SIDE STREETS, ALSO
THE ADDED POLLUTION.

3. YOUR PLAN SHOWS YOU HAVE
WRONGLY CLAIMED THE LAND
AT THE REAR OF HOUSES "25 TO 33"
IN GARTONS LANE.

4. THIS WHOLE AREA OF LAND
IS HOME FROM HOME FOR
FAMILIES THAT WALK THEIR DOGS,

5. IN THE AREA THERE ARE
ONLY THREE JUNIOR SCHOOL
THEY ARE OVER CROWDED AS
IT IS.

6. I DON'T THINK ANY OF THE
PLANNERS HAS CONSIDERED
OR LOOKED INTO THE EFFECT
ON THE WILD LIFE, THAT USE
THESE VAST OPEN LANDS, BOTH
MAMMALS AND INSECTS,

Cont 1

3

7. BUILDING ON THIS LAND
COULD RESULT IN FLOODING.

8. WHEN WE HAVE ALL BEEN
TRYING TO LIVE WITH COVID-19,
IT'S AMAZING THAT YOU
ARE SHUTTING DOWN GREEN -
BELT LAND, TO BUILD YOUR
HOUSES ETC.

ALL YOU PLANNERS/GOVERNMENTS
~~WHY~~ TALK ABOUT. IS GET OUT
IN THE OPEN AIR, AND BREATHE,
BUILDING ON GREENBELT
COULD CAUSE ILLNESS/DEATHS.

B. MY LAST POINT IS "WHY"
THE SPORTING AREAS IN
ST HELENS USED FOR HOUSING,
INCLUDE "BRITISH SIDIC, GREENALLS,
BEECHAMS, PENLAKE, ST HELENS FC
AND LARGE PARTS OF PILKINGTONS"
THERE MAY BE MORE.

YOU ARE TRULY SUPPORTING
THE "GOV" CLIMATE PLEDGE.
(I DON'T THINK)

CONT 1

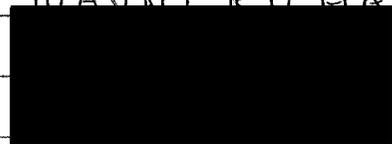
4

IF LOCAL PLANS ARE TO TAKE
UNTIL 2035 TO FINISH, THAT'S A
JOKE.

MANY OTHERS IN OUR REGION
ARE ALSO BEING DOWN -
GRADED FROM GREEN BELT,
TO ALLOW HOUSES TO BE
BUILT.

DO WE NEED THESE HOMES
AND AT WHAT COST.

YOURS FAITHFULLY
DAVID RICHARDS



RO1641

From: Ken Smith [REDACTED]
Sent: 10 January 2022 23:31
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 comments made and submitted by the resident groups RAFFD and GRAG regarding the local plan modifications.

Ken Smith
1 Askett Close
Haydock
WA11 0FH

Get [Outlook for iOS](#)

RO1644

[REDACTED]

From: colette smith [REDACTED]
Sent: 07 January 2022 08:40
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 write to confirm that I fully support and endorse the comments and findings of Bold and Clockface Action group to the Local Plan main modifications document.

Regards
Cllr Colette Smith

Sent from my iPhone

RO1656

From: Andy McLaren <[REDACTED]>
Sent: 13 January 2022 11:43
To: planningpolicy@sthelens.gov.uk
Cc: Caroline Musker; Simon Spencer
Subject: St Helens Borough Local Plan 2020 - 2035 Submission Draft - Representations to Main Modifications (Representor ID: RO1656) [NLP-DMS.FID734134]
Attachments: 41575_12 St Helens Main Modification Representations - Bericote 13.01.2022.PDF
Follow Up Flag: Follow up
Flag Status: Completed

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Dear Sir or Madam

On behalf of our client Bericote Properties Limited (Representor ID: RO1656), please find attached a letter of representation submitted in response to the publication of the Proposed Main Modifications to the SHBLP Submission Draft.

We look forward to receiving confirmation of the receipt of these representations and 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



Historic Opportunities
How heritage-led regeneration can drive town centre change
[VIEW INSIGHT](#)

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

Date: 13 January 2022

Our ref: 41575/12/CM/AMCL/20552130v3

Your ref:

Dear Sir or Madam

St Helens Borough Local Plan 2020-2035: Representations to the Proposed Main Modifications (Representor ID: RO1656)

Lichfields is instructed by Bericote Properties Limited [Bericote] (Representor ID: RO1656) to make representations on its behalf to the St Helens Borough Local Plan 2020-2035 [SHBLP]. This letter has been prepared in response to the publication of the Proposed Main Modifications to the SHBLP Submission Draft.

This letter has been submitted in the context of Bericote's Florida Farm site [Local Plan Allocation Site Reference: 2EA] and expands upon Bericote's previous representations made throughout the Local Plan preparation process, including responses to the Matters, Issues and Questions [MIQs] raised by the Inspector for the Examination in Public [EiP] hearing sessions. Lichfields attended the Examination on behalf of Bericote.

As part of the Main Modifications (MM007; MM008; MM044), it has been proposed by the Inspectors to remove Local Plan Allocation Site Reference: 2EA (Bericote's Florida Farm site) from the SHBLP. It is also proposed that the site is removed from the Green Belt as shown on the proposed modifications to the Policies Map (Main Modifications Schedule Annex 7) (see Annex 1). Bericote has no objection to the removal of Local Plan Allocation Site Reference: 2EA from the SHBLP, as it is proposed that the site is also removed from the Green Belt within the Plan.

As set out in Bericote's responses to the MIQs, although Units 1 and 2 of the Florida Farm site have been delivered (in accordance with outline planning permission P/2016/0608/HYBR and subsequent reserved matters approvals) the full development potential of the Florida Farm site has not been reached. The EIA undertaken as part of the hybrid planning application assessed the environmental effects of up to 135,000 sq. m. of employment floorspace and only 82,748 sq. m of B2/B8 floorspace was delivered as part of the reserved matters approvals. The full quantum of development that could be achieved on the site has not been realised. A residual parcel of land on the site (gross site area of 2.26ha) remains available and it is Bericote's intention to bring forward non-strategic employment development on the site.

In order to demonstrate that the remaining available land can accommodate strategic employment development, a proposed Unit 3 Site Layout Plan (Appendix 1) has been prepared which shows the residual area of land to the south west of the Unit 2 parcel within the boundary of Allocation 2EA. The Site Layout Plan also illustrates the proposed layout of the unit which could be accommodated within the plot. Bericote is seeking to bring forward the proposed Unit 3 development at the earliest opportunity.

However, in order to bring forward the remaining available land for non-strategic employment development, it is imperative that the correct status of the Florida Farm site is reflected in the SHBLP, as it is illogical for a substantially built-out and completed development to remain within the Green Belt. This would place additional policy burdens on existing occupiers (such as the requirement to demonstrate Very Special Circumstances) and restrict the ability of Bericote to bring forward the remaining land within the site for additional employment development.

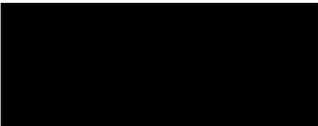
The Council's evidence base is clear that there would be no benefit gained by retaining Site 2EA in the Green Belt. The land no longer contributes to the purposes of the Green Belt due to the development of Units 1 and 2 and the existing development surrounding the site. Bericote considers that the site should be removed in its entirety from the Green Belt as there will be no Green Belt related impact, and it is considered that the site can make a contribution to meeting the additional demand identified for employment development in the Borough.

It is therefore entirely sound to remove the site from the Green Belt to enable the residual parcel of land to come forward, maximise the development potential of the land and take advantage of the option to fully utilise an established and sustainable site for employment development. Bericote considers that this modification is in full accordance with the relevant provisions of the National Planning Policy Framework in relation to supporting economic growth [§81] and promoting an effective use of land [§119].

Bericote therefore supports the modification to remove the site from the Green Belt as identified on the modified Policies Map (Annex 1).

Should you require any further clarification on the above then please do not hesitate to contact.

Yours faithfully



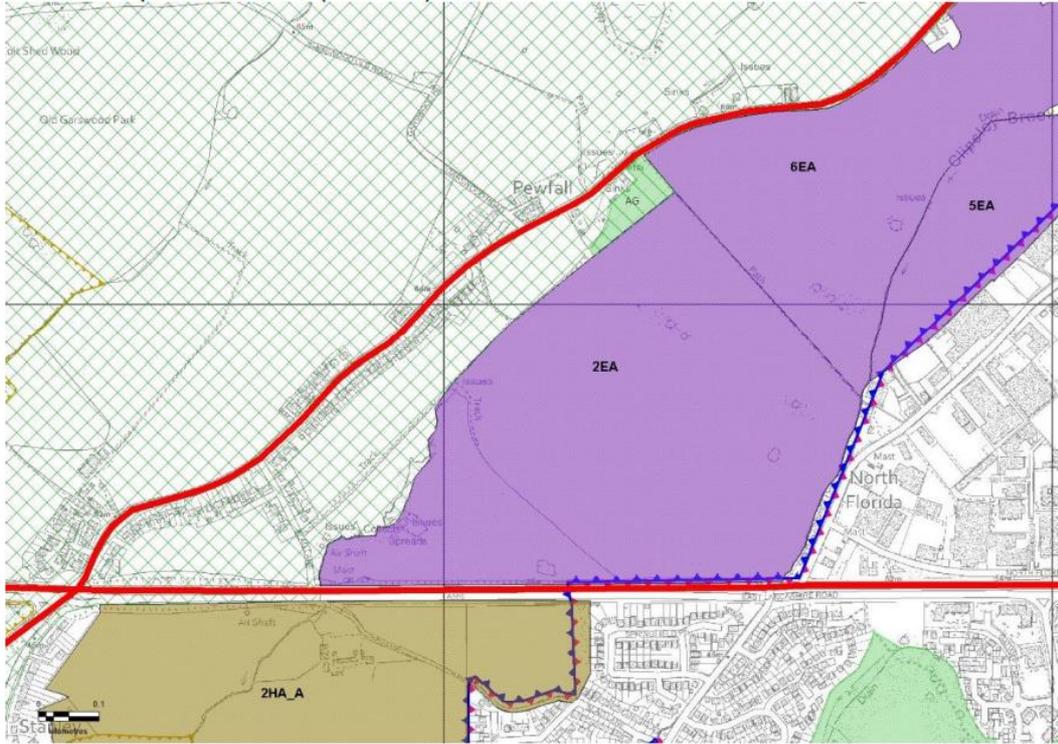
Andy McLaren
Planner

Copy

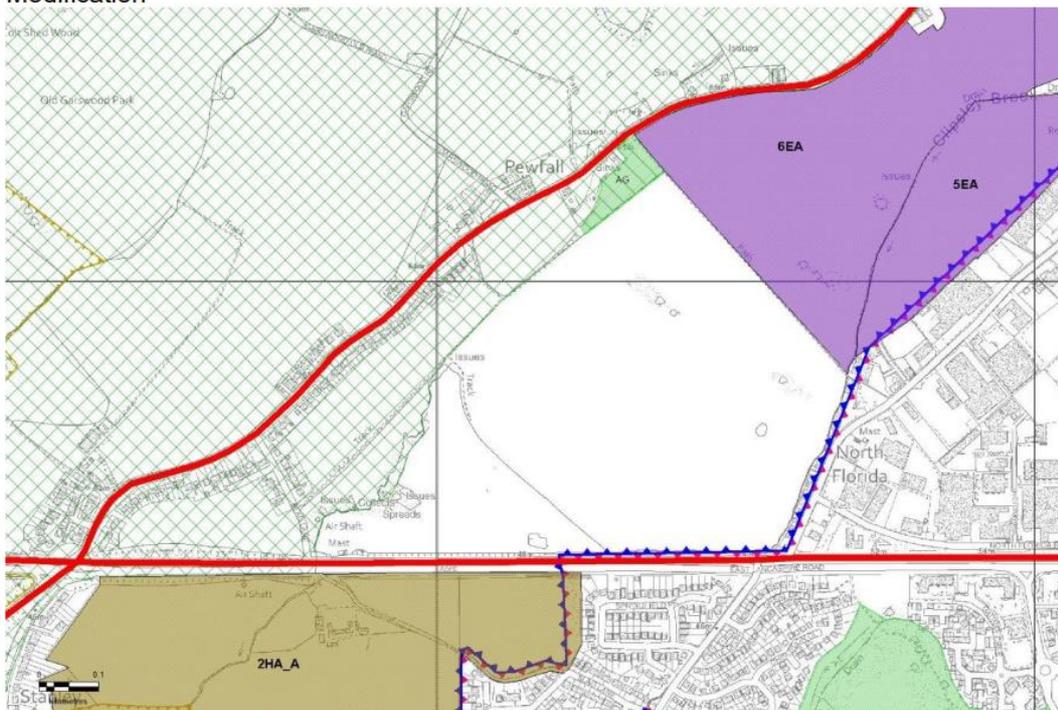
Simon Spencer – Bericote Properties Limited

Annex 1: Proposed Policies Map Modification

Policies Map as submitted (site 2EA)



Modification





Annex 2: Proposed Unit 3 Site Layout Plan

- Dimensions are in millimeters, unless stated otherwise.
 - Scaling of this drawing is not recommended.
 - It is the recipient's responsibility to print this document to the correct scale.
 - All relevant drawings and specifications should be read in conjunction with this drawing.

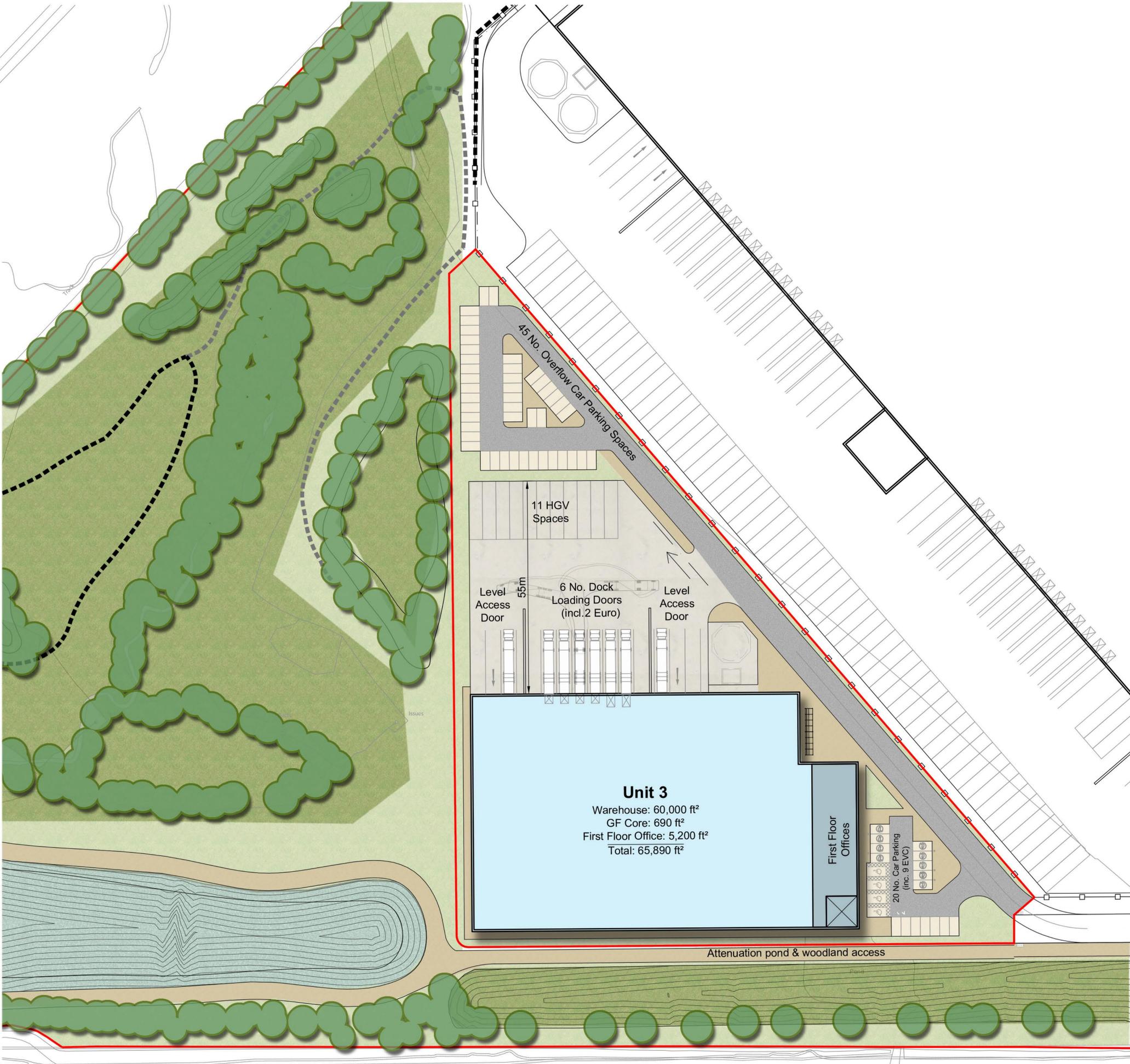


SCHEDULE OF ACCOMMODATION
(Gross Internal Area)

Unit 3	
Warehouse Area	- 60,000 ft ² (5,574 m ²)
GF Core	- 690 ft ² (64 m ²)
FF Office	- 5,200 ft ² (483 m ²)
Total Area	- 65,890 ft² (6,121 m²)

Plot Area - 3.67 Acres (1.49 Hectares)

Site Density - 41.08%



45 No. Overflow Car Parking Spaces

11 HGV Spaces

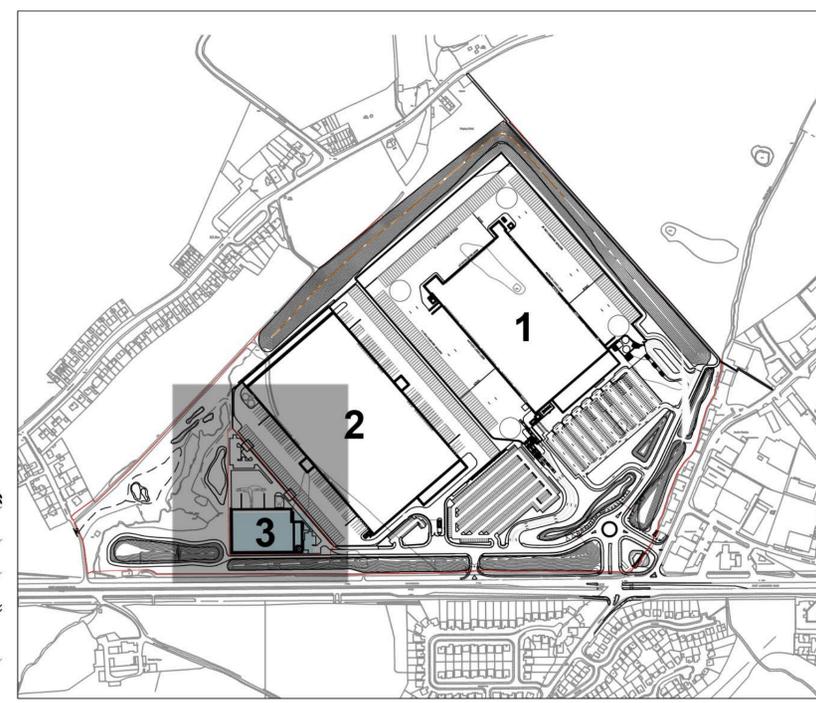
Level Access Door
 55m
 6 No. Dock Loading Doors (incl. 2 Euro)
 Level Access Door

Unit 3
 Warehouse: 60,000 ft²
 GF Core: 690 ft²
 First Floor Office: 5,200 ft²
 Total: 65,890 ft²

First Floor Offices

20 No. Car Parking (inc. 9 EVG)

Attenuation pond & woodland access



rev amendments by ckd date

Haydock Lane, St Helens
 Site Layout - Single Unit



Newark Beacon Innovation Centre, Cafferata Way, Newark, Nottinghamshire NG24 2TN
 0 +44 (0)1636 653027 0 +44 (0)1636 653010 info@umcarchitects.com



Drawing Status:	Feasibility
Drawn / Checked:	DB / DB
Date:	08.11.2021
Scale:	1:500 A1
Drawing no:	Revision:
13007 F075	D

RO1667

[REDACTED]

From: [REDACTED]
Sent: 07 January 2022 14:52
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan : Clock Face & Bold

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

I wish to register my objections to the Local Plan and in particular the proposed development to build over 3,500 homes in Clock Face and Bold.

I have read the objections put forward by the Clock Face& Bold Action Group and I would like to fully endorse the points they have raised in their report.

In my view they have produced a very thorough and objective report that has raised very real concerns that will impact both the local community and the environment. In particular the points raised about the lack of infrastructure, the errors concerning areas of lands which shouldn't be included and the risk of further flooding to an area which is already prone to floods and frequent road closures.

Having lived in this area [REDACTED] I am very aware of the negative impact this 'local plan' will have on the residents of Clock Face and Bold both now and for future generations and I would respectfully appeal to all concerned to take the Clock Face and Bold Action Groups report on board.

Kind regards
Tina Standish

RO1668

From: [REDACTED]
Sent: 07 January 2022 15:09
To: planningpolicy@sthelens.gov.uk
Subject: The Local Plan re Clock Face & Bold

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,
Dear Sir/Madam

I wish to register my objections to the Local Plan and in particular the proposed development to build over 3,500 homes in Clock Face and Bold.

I have read the objections put forward by the Clock Face& Bold Action Group and I would like to fully endorse the points they have raised in their report and ask that you give this report the serious consideration it deserves.

I would also like to point out that we already have a serious problem regarding flooding on large areas of land in this area and building on it will only impact on this further with any 'soakaway land' being removed.
Please feel free to come down now anytime and look for yourselves how serious this problem is.

Yours faithfully
Anthony Standish

RO1675

Local Plan Main Modifications Consultation Blue category

- Flag for follow up. Start by 18/01/2022. Due by 18/01/2022.
- Label: 2 Year Email Retain and Delete (2 years) Expires: Fri 12/01/2024 13:08

RS [Redacted]



Wed 12/01/2022 13:08
To: planningpolicy@sthelens.gov.uk

ResponseMainModificati...
227 KB

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 a Word document, which is my MM response to the Local Plan Main Modifications Consultation.
If you have any difficulties please contact me on telephone number [Redacted] or at 16 Lynton Way, Windle, St Helens, WA10 6DZ.

Please could you acknowledge the safe receipt of this email.

Yours sincerely,
Mr. R. M. Stock.

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

Representation of Comments Relating to The Proposed Main Modifications St Helens Borough Local Plan. Response by Mark Tickle I.Eng.P.G.Dip. MCIHT.

4.24.12. page 48/49 3HS – Former Eccleston Park Golf Club Rainhill Road Eccleston – “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”.

Object – The site has significant levels of constraint that cannot be overcome without significant levels of investment by the Council and third parties, it is very unlikely that the Council could secure funds to finance highway and bridge widening works that existing highway infrastructure would require in order for this site to be safely developed. It is unlikely that existing restraints will be mitigated in future years by provisions made under any future Section 106 Agreements. It is therefore suggested, that the plan in relation to this site has not been positively prepared, and that the Council be required to demonstrate levels of proposed investment for suitable highway mitigation works. As previously brought to the Inspectors attention Traffic Figures for Warrington Rd/Rainhill Rd are at limit, Improvement Works as previously demonstrated in my hearing statement are required otherwise the site can never be developed without causing further highway network problems, the plan has not been objectively assessed. An Improvement at this junction has been suggested by the Council as a mitigation measure. This Improvement cannot be achieved and will not go ahead now or beyond the 15 year period, I would happily supply details to the Inspectors.

It is unlikely that the status of the Woodland Trust’s land ownership will change in the future allowing access to the site. The electricity pylons, railway line, culverts and brooks will also still be there beyond the 15 year plan period. There is no evidence in the plan for mitigating measures for the site and it is therefore not deliverable. The Inspectors acknowledge the constraints but the Council do not present evidence that the site is suitable for sustained development, to remove the site from Green Belt and safe guarded for future development would not best serve the Council in the long term or the community. The site as the inspectors correctly point out is a former Golf Course and as demonstrated in the recent hybrid planning application would need significant amounts of cut and fill to Earthworks Profiles, requiring many thousands of cubic metres of imported fill which even the Council’s Contaminated Land Officer is not happy about and has lodged an objection. The fill will have an effect on drainage to adjacent sites and may not be covered by national policy.

It is respectfully suggested that the Inspectors consider the site for retention within the Green Belt alternatively the Council is asked for commitment to significant investment for existing Highway Infrastructure Improvement which may amount to many millions of pounds.

It is argued that these restraints make the site unsuitable for development and the modification of wording altered accordingly to reflect this to read:

The site has a number of constraints that make it even in the long term not suitable for sustainable development.

Mark Tickle

Member of the Chartered Institute of Highways and Transportation

RO1732

From: June Thow [REDACTED]
Sent: 04 January 2022 19:03
To: planningpolicy@sthelens.gov.uk
Subject: Main Modification Consultation

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Dear sirs

St Helens Greenbelt Association have commissioned an expert report and having received this, I would like to endorse the issues raised on behalf of SHGBA. I feel strongly that greenbelt should be preserved from unnecessary building, when it is clear that the Borough has sufficient brownfield land to meet the recognised housing needs for the foreseeable future.

I can be contacted at 1 Chapel Lane, Eccleston WA10 5DA or via this email address.

Kind regards

June Thow

[Sent from Yahoo Mail for iPad](#)

R01734

SHBC036 Proposed Main Modifications to Local Plan Scedule Nov 2021 Blue category X

- Flag for follow up. Start by 18/01/2022. Due by 18/01/2022.
- Label: 2 Year Email Retain and Delete (2 years) Expires: Fri 12/01/2024 12:28

M [Redacted]

Wed 12/01/2022 12:28
To: planningpolicy@sthelens.gov.uk



Local Plan Submission Dr...
109 KB

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 representation comments for the above. Please keep me informed of any updates. My contact adress is
23 Wedgewood Gardens
St Helens
Merseyside
WA9 5GA

[Redacted]

Thank You
Mark Tickle

Sent from my Galaxy

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

Representation of Comments Relating to The Proposed Main Modifications St Helens Borough Local Plan. Response by Mark Tickle I.Eng.P.G.Dip. MCIHT.

4.24.12. page 48/49 3HS – Former Eccleston Park Golf Club Rainhill Road Eccleston – “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”.

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It is unlikely that the status of the Woodland Trust’s land ownership will change in the future allowing access to the site. The electricity pylons, railway line, culverts and brooks will also still be there beyond the 15 year plan period. There is no evidence in the plan for mitigating measures for the site and it is therefore not deliverable. The Inspectors acknowledge the constraints but the Council do not present evidence that the site is suitable for sustained development, to remove the site from Green Belt and safe guarded for future development would not best serve the Council in the long term or the community. The site as the inspectors correctly point out is a former Golf Course and as demonstrated in the recent hybrid planning application would need significant amounts of cut and fill to Earthworks Profiles, requiring many thousands of cubic metres of imported fill which even the Council’s Contaminated Land Officer is not happy about and has lodged an objection. The fill will have an effect on drainage to adjacent sites and may not be covered by national policy.

It is respectfully suggested that the Inspectors consider the site for retention within the Green Belt alternatively the Council is asked for commitment to significant investment for existing Highway Infrastructure Improvement which may amount to many millions of pounds.

It is argued that these restraints make the site unsuitable for development and the modification of wording altered accordingly to reflect this to read:

The site has a number of constraints that make it even in the long term not suitable for sustainable development.

Mark Tickle

Member of the Chartered Institute of Highways and Transportation

R01753

From: [REDACTED]
Sent: 12 January 2022 01:45
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.

Luke Traynor
192 Victoria Road
Garswood
Wn40rg

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.

Sent from myMail for iOS

RO1780

From: Claire Tyrrell [REDACTED]
Sent: 11 January 2022 08:36
To: planningpolicy@sthelens.gov.uk
Subject: Green Belt Main Modification Consultation response

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.

To whom it may concern

As part of the Main Modification Consultation process, I would like to reiterate my objection to the planned release of green belt land to safeguard for development in St Helens.

I endorse all the issues raised in the report commissioned by St Helens Green Belt Association and submitted as part of this consultation process. Any building on Green Belt land in St Helens is entirely unnecessary as St Helens has sufficient Brownfield land to meet our recognised development needs for the foreseeable future.

Yours sincerely

Claire Tyrrell

17 Brooklands Road

Eccleston

St Helens

WA10 5HE

RO1791

[REDACTED]

From: Iris Wainwright [REDACTED] >
Sent: 12 January 2022 18:35
To: planningpolicy@sthelens.gov.uk
Subject: 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 Sir/Madam,

In response to the major modifications I fully endorse the 2022 report from Kirkwells in response to the main modifications submitted on behalf of St. Helens Green Belt Association (SHGBA) and also the 2022 report submitted by Eccleston Community Residents Association (ECRA).

Regards,

Iris Wainwright,
38, Crantock grove,
St. Helens.

RO1792

St Helens Borough Local Plan Main Modifications Consultation. Blue category

- Flag for follow up. Start by 18/01/2022. Due by 18/01/2022.
- Label: 2 Year Email Retain and Delete (2 years) Expires: Fri 12/01/2024 18:33

DW

Wed 12/01/2022 18:33

To: planningpolicy@sthelens.gov.uk



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Dear Sir/Madam,

Firstly I fully endorse the 2022 report from Kirkwells in response to the main modifications submitted on behalf of St. Helens Green Belt Association (SHGBA) and also the 2022 report submitted by Eccleston Community Residents Association (ECRA).

In addition I refer to mm006. This should include reference to the Brownfield land release fund.

I would also like to point you towards the councils strategy regarding potentially contaminated land.

I'm unsure as to what the council are doing regarding their contaminated land strategy. In their document of the same name which was revised in 2017. The number of potentially contaminated sites mentioned is 9,105 with an inspection rate of 200 sites per year. Since the document was initially issued, if the council have actually completed 200 sites per year then it should still leave approximately 6,000 potential sites still to be surveyed.

Part 2A of the Environmental Protection Act 1990 was introduced in England and Scotland in 2000 (2001 in Wales), placing duties on local authorities to identify potentially contaminated sites in their area and ensure that they are cleaned up appropriately.

I appreciate that the council have had some funds allocated for sites such as Moss Nook but this was prior to the government's latest initiative to make additional funds available to re-use suitable sites.

As you are no doubt aware 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. Considering St. Helens' industrial past it seems inconceivable that some of this money would not be made available to the council should they apply.

I cannot find any evidence that the council intend to apply for the funds available from the Government in their initiative.

I have also 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 seems to exist. If this is the case then I'm not sure how successful any application for funds will be. This is based upon the assumption that the least information the Government would require is which sites would be reclaimed, at what cost and how many new houses it would support. A failure on behalf of the council not to know of any suitable sites (I don't believe they've carried out any surveys since 2017) should not be to the detriment of the Greenbelt. This might set a precedent for the council to adopt this easy option of removing land from the Greenbelt in order to hit targets in future Local Plans.

However, assuming that the council do apply and the application is successful, and suitable sites become available as part of the inspection process. Then maybe this Brownfield land could be safeguarded for after 2035 without the need to remove sites from the Greenbelt for safeguarding sites such as 8HS which is predominantly grade 1 agricultural land and an ideal example of the type of land the Government is trying to protect.

Regards,

David Wainwright,
38, Crantock grove,
St. Helens.

Reply | Forward

R01794

[REDACTED]

From: Derek Wainwright [REDACTED]
Sent: 11 January 2022 08:24
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.

Please note that I full support and endorse the comments made RAFFD and GRAG

Derek Wainwright
16 Gordon Avenue
Ashton-In-Makerfield
WIGAN
WN4 0QA

RO1795

From: [REDACTED]
Sent: 11 January 2022 08:28
To: planningpolicy@sthelens.gov.uk
Subject: LOCAL PLAN

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Kindly note that I fully endorse and support the comments made by RAFFD and GRAG

Sarah-Louise Wainwright
16 Gordon Avenue
Ashton In Makerfield
Wigan
WN4 0QA

RO1808

[REDACTED]

From: [REDACTED]
Sent: 12 January 2022 19:17
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.

As a local resident I fully support the comments made by RAFFD and GRAG

Gill Walsh
93 springfield park
Haydock
St Helens
WA11 0XP

Sent from my iPhone

RO1812

[REDACTED]

From: Donna Watkin [REDACTED]
Sent: 10 January 2022 11:44
To: planningpolicy@sthelens.gov.uk
Subject: Objection to main modifications on the 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.

To whom it may concern,

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 the 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 and submitted on behalf of the Bold & Clock Face Action Group,

Regards

Ms Donna Watkin

RO1814

St Helens Plan Main Modification Consultation

Label: 2 Year Email Retain and Delete (2 years) Expires: Sat 13/01/2024 16:42

LW

Linda Watson
Thu 13/01/2022 16:42
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.

Dear Sir/Madam,

I am writing to provide my support of the contents of the report of the St Helens Greenbelt Association/ECRA I endorse the issues raised on behalf of SHGBA and agree fully with report. I want my comments included in the consultation of the plan. Unnecessary building on greenbelt land when we have so many brownfield sites is absolutely unforgiveable. Residents will be denied the lovely landscape, footpaths, and social exercise that we all need to support our physical and mental health.
Please include my comments in full support of the report mentioned, many thanks.

Linda Watson
58 Ecclesfield Road
WA10 5NB

Many Thanks Linda Watson

Sent from [Mail](#) for Windows 10

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

RO1819

[REDACTED]

From: [REDACTED]
Sent: 09 January 2022 13:30
To: planningpolicy@sthelens.gov.uk
Subject: Local Plan - Rainhill

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 wanted to add my voice to those that endorse the issues raised on behalf of the SHGBA regarding the Local Plan for Rainhill and surrounding areas.

I am not against new developments – but strongly feel that existing brownfield sites should be used and completely new developments on green sites only ever considered as a last resort AND when there is sufficient improvement to local infrastructure and amenities to cope.

Yours Sincerely,

Sheridan Webb
7 Stonecross Drive
Rainhill
L35 6DD

RO1847

[REDACTED]

From: [REDACTED]
Sent: 10 January 2022 14:51
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.

My name is Carol Wilcock and my address is : 44, Smock Lane , Garswood, WN4 0SN.
I fully support the comments made by RAFFD and GRAG.
I should like to add an observation of my own which is that one thing that Lockdown has reminded us of is the importance of the open spaces and views provided by Green Belt land for peoples' mental health and well being. This plan has merely paid lip service to this and in reality has taken no account of these important factors.

Carol Wilcock

RO1858

[REDACTED]

From: Paul Williams <[REDACTED]>
Sent: 12 January 2022 17:52
To: planningpolicy@sthelens.gov.uk
Subject: 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.

Hi
I support and endorse the issues raised on behalf of St Helens Green Belt Association.

Paul Williams
16 St Davids Close
Rainhill L35 4NY

RO1912

[REDACTED]

From: [REDACTED]
Sent: 11 January 2022 22:45
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 Sirs

I wish to voice my support for and second the comments in relation to the LOCAL PLAN recently submitted by the "Residents Against The Florida Farm Developments (RAFFD)" and also "Garswood Residents Action Group (GRAG)".

Yours faithfully

Mrs Julie Woodward
49 Springfield Park
Haydock
St Helens
Merseyside
WA11 0XP

RO1934

[REDACTED]

From: Brian Yates [REDACTED]
Sent: 10 January 2022 15:17
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 totally agree with and support the comments made by RAFFD and GRAG in respect of the St Helens Local Plan.

Mr Brian Yates
21 Argyll Close
Garswood
WN4 0ST

Sent from my iPad

RO1935

From: Christine Yates [REDACTED]
Sent: 19 November 2021 12:29
To: planningpolicy@sthelens.gov.uk; [REDACTED]
Subject: REPRESENTATION 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.

Please find below my representation on the local plan modifications.

Page 136

1HA - Land South of Billinge Road, East of Garswood Road and West of Smock Lane, Garswood

1. Correction - Garswood Road not Drive
2. Add to point (d) after 'station' to make it fully accessible (including for disabled persons)

Currently the Garswood Station is not fully accessible by disabled persons along with the bus stops in the area adding the above will bring it inline with point (c) as what is the point of having accessible buses and not an accessible local rail service. Improving access to local transport will fit the climate change agenda.

Christine Yates
21 Argyll Close
Garswood
WN40ST

From: Christine Yates [REDACTED]
Sent: 10 January 2022 16:07
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.

Further to my email dated 18 November 2021 on the Local Plan I wish to add that I fully agree and support the comment made by Resident against the Florida Farm Development and Garswood residents Action Group .

My personal details are at the end of this email.

In particular :-

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.

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.

I would be grateful if you could acknowledge the receipt of this comment and that of my email dated 19 November 2021

Christine Yates
21 Argyll Close
Garswood
Wigan
WN4 0ST

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.

5

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

RO1940

From: Hannah Langler <[REDACTED]>
Sent: 12 January 2022 10:14
To: [REDACTED]
Cc: planningpolicy@sthelens.gov.uk
Subject: Main Modification Response on behalf of Parkside Regeneration LLP
Attachments: P0-TP-SPA-LT-P3638-0040-A - Main Mods Response Letter.pdf; P0-TP-SPA-LT-P3638-0039-A - Main Mods Response FORM.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 Lucy,

Please find attached, a covering letter and Main Modification Response form, on behalf of Parkside Regeneration LLP.

I trust that these representations are duly made.

Please do not hesitate to contact me if you have any questions or clarifications with respect to the attached form.

Kind regards
HANNAH LANGLER
Principal: Chartered Town Planner
BSc (Hons), Dip CRP, MRTPI



PSSST! WE ARE RECRUITING! (SPREAD THE WORD)

WE ARE RECRUITING!
PLEASE SPREAD THE WORD

We are delighted to announce that as part of our strategic growth strategy, we are recruiting again! If you know a friend or colleague that would like to work in one of the North's leading multidisciplinary consultancies please pass on our details. Further information can be found on the recruitment page on our website.

[PLEASE CLICK HERE FOR MORE INFORMATION](#)

Junction 41 Business Court, East Ardsley, Leeds, WF3 2AB
Main: [REDACTED] Web: www.spawforths.co.uk
Direct: - Email: [REDACTED]
Mobile: [REDACTED] LinkedIn:



[REDACTED]
 Local Plan
 St Helens Borough Council
 Town Hall
 Victoria Square
 St. Helens
 WA10 1HP

11 January 2022

Dear Lucy,

RE: ST HELENS LOCAL PLAN – MAIN MODIFICATIONS

We write on behalf of our client, Parkside Regeneration LLP with regard to St Helen's Local Plan, and the current Main Modifications consultation. Appended to this letter is a copy of the requisite Proposed Main Modifications Consultation Response Form. The schedule below sets out the Main Modifications Parkside Regeneration LLP has responded to and the associated reasons/comments:

Main Modification Reference	Comments/Reason
MM 001	Parkside Regeneration LLP support the extension of the Plan period to 2037, this modification is necessary in order to ensure that the Plan is consistent with the provisions of the 2021 Framework.
LPA 006 -23	Parkside Regeneration LLP are supportive of the principle of delivering compensatory improvements measures where sites have been released from the Green Belt, consistent with the provisions of the 2021 Framework. Parkside Regeneration LLP would emphasise that additional requirements in relation to compensatory measures, should be proportionate and reasonably and fairly related to the scale and location of the site, with sufficient provisions to enable the consideration of the prevailing economic circumstances at the time of the development.
MM 007 New Section 7	Parkside Regeneration LLP support the additional reasoned justification proposed for paragraph 4.12.32 up to and including paragraph 4.12.34. The additional text is reflective of our previously submitted representations and delivery statement and the provisions within the 2021 Framework.
MM 017 New Policy LPA12 and associated	Parkside Regeneration LLP support new policy LPA12 and the associated reasoned justification. The policy is consistent with the planning status of the Site following the recent Call In decision, reference APP/H4315/V/20/3253194, in relation to Planning Application P/2018/0048/OUP, and the planning consent for the link road (application references P/2018/0249 and 2018/32514, which was also subject to Call

Spawforths

Junction 41 Business Court, East Ardsley, Leeds, West Yorkshire. WF3 2AB

t: 01924 873873, f: 01924 870777, mail@spawforths.co.uk, www.spawforths.co.uk

Spawforths is a trading name of Spawforth Rolinson Ltd. Incorporated in England, Company Registration Number 2247289

reasoned justification	In). The additional text is consistent with Parkside Regeneration LLP earlier representations made in response to LPA010 Criterion 4, and is considered necessary, in order to ensure that the policy is effective and capable of responding to up to date technical evidence.
MM Annex 1 - Appendix 5 (8EA)	Parkside Regeneration LLP support the modifications in Annex 1, where these relate to Appendix 5 Site 8EA. The proposed modification deletes the requirements as set out in the Appendix for Site 8EA. Parkside Regeneration LLP consider that this is necessary to avoid unnecessary duplication with the proposed additional policy LPA12, and this will ensure that the Plan is effective

We trust the representations are duly made and would be grateful for confirmation of receipt. Please do not hesitate to contact me if there are any questions or clarifications in respect of the above or attached response form.

Yours sincerely,

Hannah Langler BSc (Hons), MRTPI
Principal: Chartered Town Planner



Cc: Parkside Regeneration LLP

File Ref: P0-TP-SPA-LT-P3638-0040-A

**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:	Title: Mrs
First Name:	First name: Hannah
Last Name:	Last Name: Langler
Organisation/company: Parkside Regeneration LLP	Organisation/company: Spawforths
Address: c/o Spawforths.	Address: Junction 41 Business Court, East Ardsley, Leeds.
Postcode:	Postcode: WF3 2AB
Tel No:	Tel No: [REDACTED]
Mobile No:	Mobile No:
Email:	Email: [REDACTED]

Signature: [REDACTED]

Date:

5/1/2022

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 **MM 001**

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

Yes

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.

Parkside Regeneration LLP support the extension of the Plan period to 2037, this modification is necessary in order to ensure that the Plan is consistent with the provisions of the 2021 Framework.

Please continue on a separate sheet if necessary

4. Which Main Modification does this representation relate to?

Main Modification Reference Number **MM 006 - 23**

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.

Parkside Regeneration LLP are supportive of the principle of delivering compensatory improvements measures where sites have been released from the Green Belt, consistent with the provisions of the 2021 Framework. Parkside Regeneration LLP would emphasise that additional requirements in relation to compensatory measures, should be proportionate and reasonably and fairly related to the scale and location of the site, with sufficient provisions to enable the consideration of the prevailing economic circumstances at the time of the development.

Please continue on a separate sheet if necessary

4. Which Main Modification does this representation relate to?

Main Modification Reference Number **MM 007 New Section 7**

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.

Parkside Regeneration LLP support the additional reasoned justification proposed for paragraph 4.12.32 up to and including paragraph 4.12.34. The additional text is reflective of our previously submitted representations and delivery statement and the provisions within the 2021 Framework.

please continue on a separate sheet if necessary

4. Which Main Modification does this representation relate to?

Main Modification Reference Number	MM 017 New Policy LPA12 and associated reasoned justification.
------------------------------------	---

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

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
---	-----------------------------

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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>
---	-----------------------------

Please tick as appropriate

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

Parkside Regeneration LLP support new policy LPA12 and the associated reasoned justification. The policy is consistent with the planning status of the Site following the recent Call In decision, reference APP/H4315/V/20/3253194, in relation to Planning Application P/2018/0048/OUP, and the planning consent for the link road (application references P/2018/0249 and 2018/32514, which was also subject to Call In). The additional text is consistent with Parkside Regeneration LLP earlier representations made in response to LPA010 Criterion 4, and is considered necessary, in order to ensure that the policy is effective and capable of responding to up to date technical evidence.

Please continue on a separate sheet if necessary

4. Which Main Modification does this representation relate to?

Main Modification Reference Number	Annex 5 – 8 EA
------------------------------------	-----------------------

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

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
---	-----------------------------

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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>
---	-----------------------------

Please tick as appropriate

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

Parkside Regeneration LLP support the modifications in Annex 1, where these relate to Appendix 5 Site 8EA. The proposed modification deletes the requirements as set out in the Appendix for Site 8EA. Parkside Regeneration LLP consider that this is necessary to avoid unnecessary duplication with the proposed additional policy LPA12, and this will ensure that the Plan is effective.

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.**

RO1944

[REDACTED]

From: Coleman, Victoria <[REDACTED]>
Sent: 13 January 2022 11:23
To: planningpolicy@sthelens.gov.uk
Cc: Fillingham, Nick
Subject: St Helens EiP - Main Mods Submission on behalf of Barratt Homes (RO1944)
Attachments: Barratt Homes (RO1944) - Representation to the Main Modifications Consultation.pdf; Barratt Homes (RO1944) St Helens Representation Form .pdf

Follow Up Flag: Follow up
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Categories: Yellow category

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Dear Sir/Madam,

On behalf of Barratt Homes (Respondent ID: RO1944), please find attached representation for the Main Modifications Consultation and accompanying form.

Any queries regarding our submissions, please get in touch.

Kind regards,
Victoria



Victoria Coleman

Planner

BSc (Hons) MA



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Barratt Homes (RO1944)

ST HELENS BOROUGH COUNCIL EMERGING LOCAL PLAN

Representations to the Main Modification
Consultation (Examination library Ref: SHBC036)





Barratt Homes (RO1944)

ST HELENS BOROUGH COUNCIL EMERGING LOCAL PLAN

Representations to the Main Modification Consultation
(Examination library Ref: SHBC036)

TYPE OF DOCUMENT (VERSION) PUBLIC

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DATE: JANUARY 2022



Barratt Homes (RO1944)

ST HELENS BOROUGH COUNCIL EMERGING LOCAL PLAN

Representations to the Main Modification Consultation
(Examination library Ref: SHBC036)

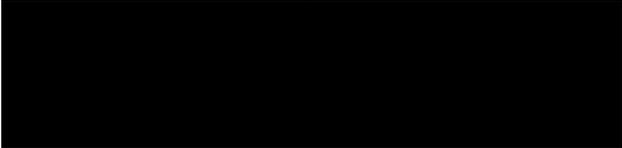
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Signature				
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1

INTRODUCTION



1 INTRODUCTION

- 1.1.1. On behalf of Barratt Homes, we write to submit representation to the St Helens Borough Council (“SHBC”) emerging Local Plan Main Modification consultation (Examination Library ref. SHBC036).
- 1.1.2. As you will be aware, Barratt controls the site at Florida Farm South in Haydock, which is proposed to be allocated for residential development by Policy LPA05 (ref: 2HA).
- 1.1.3. Accordingly, these representations are made in respect of the following Main Modifications (MMs) which are set out in the following chapters:

CORE POLICIES

- MM009 – LPA05
- MM013 – LPA08
- MM014 – LPA09
- MM016 – LPA11

HOMES AND COMMUNITIES

- MM021 – LPC01
- MM022 – LPC02
- MM026 – LPC06
- MM029 – LPC10
- MM032 – LPC13

DEVELOPMENT MANAGEMENT POLICIES

- MM034 – LPD01
- MM035 – LPD02
- MM036 – LPD03
- MM038 – LPD07

SITE PROFILES

- MM044 – Site Profiles Allocated Employment and Housing Sites

- 1.1.4. This report contains the representations in respect of each of the MMs listed above and accompanies the requisite Main Modifications Representation Form for each MM commented on.
- 1.1.5. The chapters have been structured to set out reasons why the aforementioned MMs are not legally compliant or are unsound and provide amendments that we consider to be necessary to make the MMs, and indeed the plan as a whole, legally compliant and sound.

2

CORE POLICIES



2 CORE POLICIES

MM009 – LPA05

2.1.1. Under MM009, Policy LPA05 was revised to read as follows

Policy LPA05: Meeting St. Helens Borough's Housing Needs

1. In the period from 1 April 2016 to 31 March 2035 ~~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.

2. The housing requirement will be met from the following sources:

- a) Completions;
- b) Sites with planning permission;
- c) Housing allocations shown on the Policies Map and listed in Table 4.5;
- d) Sites without planning permission identified in the Strategic Housing Land Availability Assessment (SHLAA); and
- e) 'Windfall' development, including development on small sites not individually identified in the SHLAA, sub-division of dwellings and conversions / changes of use.

3. New development should optimise the amount of housing developed on a site. New development should therefore aim to achieve the following minimum densities:

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

4. The delivery of new housing development will be monitored annually to ensure that:

- a) an adequate supply of new housing is provided at all times in accordance with the Housing Delivery Test set out in national policy; and
- b) there is a deliverable supply of housing that is sufficient to provide at least 5 years' worth of new housing development against the housing requirement. The 5-year land supply to be maintained shall include any buffer that is required under national policy. If annual monitoring demonstrates the deliverable housing land supply falls significantly below the required level, **taking into account the requirements in relation to housing delivery set out in national policy**, a partial or full plan ~~review~~ **update** will be considered to bring forward additional sites.

2.1.2. Despite the points made in both written and oral representations during the hearing sessions, there are residual issues of soundness and indeed legal compliance with the proposed wording of Policy LPA05.

2.1.3. WSP and Barratt Homes support the clarification of part 1 of this policy which makes clear that all areas outside the town centres will be required to meet a density of at least 30 dph.

2.1.4. The amended justification at paragraph 4.18.14 reads:

*“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.”*

- 2.1.5. Whilst this does indeed provide further clarity in what is expected in terms of density, we are still of the view that imposing set densities can negatively impact site delivery. Paragraph 124 of the National Planning Policy Framework (“NPPF”) require planning policies to support development that makes efficient use of land. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that policies avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.
- 2.1.6. The policy as modified still does not address our concerns. As such, the Policy should be further amended to enable site density to be assessed on a case-by-case basis to ensure effective use of land while allowing flexibility for local and site characteristics, market aspirations and site viability.
- 2.1.7. It should also be clarified both within the Policy itself and the reasoned justification that the densities (and not just the capacities) provided in Table 4.5 are only indicative. A corresponding amendment to Table 4.5 would be required for completeness.
- 2.1.8. We support the addition of Green Belt Exceptional Circumstances text to be included in the reasoned justification under policy LPA05 as detailed below:

“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.

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”

- 2.1.9. The text outlines the specific justification for each allocations release from the Green Belt which builds on the case that this allocation is well placed in sustainability terms to provide much needed homes.

MM012 - LPA07

2.1.10. Under MM013, Policy LPA08 was revised to read as follows:

LPA07 Transport and Travel (Modifications only)

*1 ... a) Secure the delivery of new or improved road, **rail**, walking, cycling, and / or bus infrastructure where required;" For completeness.*

*2. All proposals for new development that would generate significant amounts of transport movement must be supported by a Transport Assessment or Transport Statement, **the scope of which must be agreed by the Council.**"*

*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.**"*

*"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.**"*

- 2.1.11. Section 9 remains unchanged in these modifications. In the absence of an updated future Supplementary Planning Document ("SPD"), it is unclear how the Council will approach matters relating to parking and electric vehicle charging points. Section 9 therefore does not provide any clarity for developers or communities alike.
- 2.1.12. Whilst the Council has indicated that a future review of the Ensuring a Choice of Travel SPD is planned, Barratt is concerned that it could result in the introduction of more stringent requirements that have not been assessed in viability terms.
- 2.1.13. This approach conflicts with paragraph 008 (Reference ID: 61-008-20190315) of the 'Plan-making' section of Planning Practice Guidance ("PPG"), which reminds us that: "As [SPDs] do not form part of the development plan, they cannot introduce new planning policies into the development plan... They should not add unnecessarily to the financial burdens on development."
- 2.1.14. Barratt strongly resists any attempt to introduce new policies through the 'back door' without any evidence and requests that the Policy be amended accordingly. The modification to this policy has therefore not been explored enough.

MM013 – LPA08

2.1.15. Under MM013, Policy LPA08 was revised to read as follows:

Policy LPA08: Infrastructure Delivery and Funding

Protection, improvement and provision

1. *The Council will seek to ensure satisfactory provision of all forms of infrastructure that are required to serve the needs of the local community by:*

- *a) Protecting existing infrastructure from being lost where there is an identified need for it;*
- *b) Supporting the improvement of existing infrastructure where there is an identified need for such improvement;*
- *c) Safeguarding land for planned new or improved infrastructure where there is an identified need for it;*
- *d) Seeking developer contributions in accordance with paragraphs 2 to 7 of this Policy; and*
- *e) Requiring new community facilities and other social infrastructure to be located where they would be accessible by a choice of sustainable modes of transport and, where possible, clustered with other such facilities.*

Developer Contributions

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:*

- *a) Section 106 planning obligations (or other legally binding agreements); and / or*
- *b) A tariff based system such as the Community Infrastructure Levy.*

3. *Where the suitability of development depends upon the provision of additional or improved infrastructure or service capacity, that development should be phased to coincide with the provision of such infrastructure or capacity.*

4. *In applying this Policy, regard will be had to relevant evidence including the latest version of the St. Helens Infrastructure Delivery Plan.*

Economic Viability

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.*

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.

Hierarchy of Developer Contributions

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):*

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;

*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, **depending on site surroundings and the level of existing infrastructure**, for example education needs or green space provision in areas of deficit; and*

iii) contributions that would not fall into categories i) or ii) as set out above.

7. Decisions on planning applications may deviate from the above hierarchy where a specific need to do so has been identified. The Council will provide further guidance in a future Developer Contributions Supplementary Planning Document and in the Infrastructure Delivery Plan (including any future updates to this).

Section 2

- 2.1.16. Barratt Homes are pleased to see the removal of the sentence “to serve the need of the wider area” under section 2. To seek additional contributions ‘to serve the need of the wider area’ would not be justified and conflicts with the CIL Regulations and paragraph 57 of the NPPF. Crucially, such requirements may undermine the deliverability of sites and as such the increased flexibility in this section is welcomed.

Section 5

- 2.1.17. Within our representations at previous stages and throughout this Examination, we have consistently requested that the Plan includes greater flexibility. Specifically, we have requested that this flexibility goes beyond the assessment of viability (in Section 5) to take account of site-specific evidence, conditions and factors which can limit the ability of sites to include or contribute to infrastructure.
- 2.1.18. This policy has been amended to account for viability matters with a pragmatic approach being suggested towards S106 contributions. However notably these are only to be considered in ‘Zone 1’. There, is no explanation as to why this viability consideration has been given to this zone 1 area and not to other areas in the borough. We retain the view that site-specific evidence, conditions and factors (such as scale, location, character, density, market aspirations, technical constraints etc) should be included to ensure the plan is justified.

Section 7

- 2.1.19. Barratt Homes are pleased to see the inclusion of the line “depending on site surrounding and the level of existing infrastructure” under section 6 part 2 which provides some clarity and flexibility in considering site context and contributions.

MM016 – LPA11

2.1.20. Under MM016, Policy LPA11 was revised to read as follows:

Policy LPA11: Health and Wellbeing

*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~~ **Through the planning system, the Council will seek to:***

- 1. encourage improved access to a choice of homes and jobs that meet the needs of the area;*
- 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 anti-social behaviour** and that promote social cohesion and mental wellbeing;*
- 3. encourage people to be physically active by providing opportunities for walking, cycling, outdoor recreation and sport including, where appropriate, the provision of opportunities for physical activity within the design of new development;*
- 4. guide the location of food and drink uses such as hot food takeaways, drinking establishments, restaurants, cafes and other uses that may have negative health impacts having regard to their impact on other land uses in the local area;*
- 5. maximise the levels of accessibility between homes, educational establishments, jobs, public transport services, health and other services, recreational opportunities and community, cultural and leisure facilities;*
- 6. encourage measures to achieve affordable warmth;*
- 7. promote active design principles as established by Sport England; and*
- 8. manage air quality and pollution*

2.1.21. In our view, whilst Policy LPA11 is still not justified, effective or consistent with national policy. In the most part, Barratt is supportive of the Policy's aspirations to encourage healthy and active lifestyles and reduce health inequalities, which broadly accords with paragraphs 91 and 92 of the NPPF.

2.1.22. Our concerns still relate to Section 6, which "encourage measures to achieve affordable warmth". There is no explanation within the Plan or its evidence base to define what is meant by 'affordable warm' or how developers might achieve it. Equally there is no justification that its impact upon the viability of new development has been assessed and found not to undermine deliverability of the Plan, in accordance with paragraph 34 of the NPPF.

2.1.23. We are pleased to see that clarity has been provided in terms of what is meant by 'planning processes' in the context of the overall application of the Policy in practice.

3

HOMES AND COMMUNITIES' POLICIES



3 HOMES AND COMMUNITIES' POLICIES

MM021 – LPC01

3.1.1. Under MM021, Policy LPC01 was revised to read as follows:

Policy LPC01: Housing Mix

1. New market and affordable housing ~~must~~ **should** be well designed to address local housing need and include a range of types, tenures and sizes of homes as informed by **up-to-date** relevant evidence including the Borough's latest Strategic Housing Market Assessment (SHMA).
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:
 - 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)a; and
 - 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). If the standards in Part M4(2) or Part M4(3) are amended or superseded by new standards, the Council will apply the relevant amending or superseding provisions in the same proportions as set out above.
- ~~3. At least 5% of new homes on greenfield sites that would deliver 25 or more dwellings should be bungalows.~~
4. Exceptions to paragraphs 1 to 3 of this Policy may be made where the applicant has submitted an independent viability assessment, prepared by a suitably qualified person, which clearly demonstrates that meeting the requirements would render the scheme un-viable. In such cases the Council will weigh any benefits of allowing the scheme in the form submitted against the extent of any failure to meet the requirements in full.
5. The Council will work with partners to facilitate the provision of **bungalows, and** specialist and supported housing for elderly and vulnerable people. Provision of sheltered housing, extra care housing, retirement accommodation and residential care homes should be easily accessible by walking and public transport to a suitable range of services to meet the needs of future occupiers.
6. The Council will support the delivery of suitably designed and located self-build and custom-build schemes in the Borough where they would conform with all relevant local and national policies.
7. Proposals for the change of use or sub-division of existing buildings to form flats or Houses in Multiple Occupation (HMOs) will be granted permission provided they would
 - a) retain a suitable mix of housing types to meet needs in the area;
 - b) avoid harming the character and / or appearance of the area;
 - c) avoid harming the amenities enjoyed by occupiers of neighbouring residential properties;
 - d) provide satisfactory levels of amenity for their future occupier(s) in terms of outlook and natural light; and
 - e) comply with parking standards referred to in Policy LPA07 and to be set out in the future review of the Council's Ensuring a Choice of Travel SPD.

- 3.1.2. Barratt recognises the need for a mix of house types, sizes and tenures and is supportive of providing a range and choice of well-designed and high-quality homes. We are however pleased to see the removal of 'must' at section 1 to 'should', the revised terminology provides the greater flexibility.
- 3.1.3. We are also pleased to see that the reference to bungalows has been removed. While Barratt does not disagree that there is an ageing population, or that there are other groups with specific needs (including those with disabilities) who would benefit from more specialist housing. However, there is no evidence to support a 5% requirement for bungalows.
- 3.1.4. It is key that any policy is flexible and can respond to changing circumstances. Whilst we are pleased to see reference to the "latest SHMA", which will enable the Policy to take account of new evidence over the lifespan of the Plan, the flexibility in Policy LPC01 does not go far enough with the modifications proposed.
- 3.1.5. In our view, Section 2 of Policy LPC01 is, as modified, still not justified, effective or consistent with national policy. We are concerned that there is no evidence to justify the introduction of higher optional standards, or to apply them to greenfield sites of 25 dwellings or more. This conflicts with paragraph 7 of the 'Housing: optional technical standards' section of PPG (Reference ID: 56-007-20150327) which sets out the evidence that local planning authorities ("LPAs") need to justify introducing higher standards.
- 3.1.6. We are concerned with the Policy's reference to applying the same proportions of requirements (20% and 5%) into the future, even if they are amended or superseded by new standards. Clearly, it is not possible to predict the deliverability of unknown future standards or to assess their impact on sites and allocations.
- 3.1.7. The application of these optional standards, both now and in the future, would negatively impact on housing delivery and may reduce the viability and capacity of allocations. Building Regulations are the correct Government vehicle for ensuring such standards. Barratt therefore requests that the optional standards are removed from Policy LPC01. At the very least, the Policy should be amended to take account of viability and site-specific factors.
- 3.1.8. Section 4 of the Policy allows exceptions to be made only where the applicant has submitted an independent viability assessment which demonstrates that meeting the requirements would render the scheme unviable. Whilst this is helpful, there are also site-specific evidence, conditions and factors (such as scale, location, character, density, abnormals etc) which would render the requirements inappropriate and undeliverable in some instances. Whilst dwelling mix policies are often led by the evidence from the latest SHMA, in Barratt's experience they tend to underplay these other important considerations.
- 3.1.9. The ability of a developer to have the freedom to decide on housing mix enables sites to have the best chances of being viable and deliverable, which is a legitimate consideration in St. Helens given the legacies of its industrial past, as evidenced by the Economic Viability Assessment (December 2018) [VIA001]. An overly prescriptive and inflexible policy will negatively impact on these chances (including by damaging forecast revenues and minimum land value etc).
- 3.1.10. In our view, housing mix should be considered at the application stage. We therefore request that a more flexible approach is taken within the Policy which recognises that needs will vary by location, and that the viability of a scheme is not the only consideration which will determine the provision of an appropriate mix.

3.1.11. We are pleased to see the inclusion of a 12-month transition period to be applied as part of the reasoned justification at paragraph 6.3.8 however, this needs to be longer. It is unlikely that landowners and developers will have factored in the optional standards to their development appraisals, and so their application could have significant adverse impacts on the viability of sites and allocations if introduced. In such a compromise scenario, Barratt would recommend that the optional standards are only applied towards the end of the Plan period (i.e. Years 11-15), to have the least impact.

MM022 – LPC02

3.1.12. Under MM022, Policy LPC02 was revised to read as follows:

Policy LPC02: Affordable Housing

- 1. The Council will support the delivery of affordable housing by encouraging new provision by Registered Providers of Social Housing;*
- 2. Proposals for new open market housing developments of ~~44~~**10** units or more **or when the number of units is not known, sites of 0.5ha or more** will be required to contribute as follows:*
 - i) at least 30% of new dwellings provided on greenfield sites in Affordable Housing Zones 2 and 3 must fall within the definition of ‘affordable housing’;*
 - ii) at least 10% of new dwellings provided on brownfield sites in Affordable Housing Zone 3 must fall within the definition of ‘affordable housing’.*
- 3. The types of affordable housing to be provided on any site must be informed by the latest evidence concerning need. Where an affordable housing requirement is triggered in line with paragraph 2 of this Policy:*
 - a) at least 10% of the overall number of homes to be provided should be available for affordable home ownership (unless this would significantly prejudice the ability to meet the identified needs of specific groups); and*
 - b) any remaining proportion of the affordable housing to be provided should be for affordable rented accommodation.*
- 4. The provision of affordable housing may vary on a site-by-site basis taking into account evidence of local need and where appropriate, the economic viability of the development. Any relaxation of the affordable housing requirements set out in paragraphs 2 or 3 of this Policy will only be supported if:*
 - a) it is fully justified by an independent site-specific viability appraisal; and*
 - b) the benefits of proceeding with the development outweigh the failure to provide the full affordable housing contribution.*
- 5. Any affordable housing provision must be within the application site unless the applicant has demonstrated either that:*
 - a) insufficient local need exists to justify on-site provision; or*
 - b) there would be overriding benefits by making alternative provision ‘off site’ in which case a commuted sum in lieu of on-site provision will be required.*

The level of any such commuted sum should be in accordance with guidance set out in the Affordable Housing SPD.

- 3.1.13. As one of the largest providers and enablers of affordable housing in the UK, Barratt welcomes efforts to improve affordability in St. Helens. However, as paragraph 34 of the NPPF recognises, this goal should not be at the expense of undermining the deliverability of the Plan.
- 3.1.14. Whilst we are pleased that Section 4 of the Policy allows affordable housing provision to vary on a site-by-site basis (taking into account evidence of local need and viability), we are concerned that the starting point is the application of a 'zonal' approach in Section 2.
- 3.1.15. We still question the rationale for treating brownfield sites differently. It is too simplistic to assume that developers of greenfield sites will encounter less constraints and therefore costs than their brownfield counterparts in different 'zones'.
- 3.1.16. For example, paragraphs 6.25-6.26 of VIA001 reveal that there are issues with the viability of greenfield sites within Zone 2. At 30 dwellings per hectare ("dph"), the 30% affordable housing requirement is unviable and is only slightly improved at 35 dph. Indeed, when taken together with the other contributions expected from new development (including some of those challenged within this statement), the viability position worsens further.
- 3.1.17. Therefore, Barratt requests that a much lower contribution should be sought from greenfield sites as a starting point (i.e., before evidence of local need and site viability is considered). Logically, the Council should then consider whether brownfield sites can make more of a contribution to meeting affordable needs. Notwithstanding this, the Council should still apply more flexibility to other policy requirements (as answered elsewhere in this statement).
- 3.1.18. In addition, a greater proportion of affordable homes for ownership should be encouraged under Section 3 of the Policy to enable greater routes to home ownership.

MM026 – LPC06

- 3.1.19. Under MM026, Policy LPC06 was revised to read as follows:

Policy LPC06 - Biodiversity and Geological Conservation (Modifications only)

"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:

- 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 The following hierarchy of sites and habitats are found in the Borough:

- i) International • 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 • Sites of national nature importance, which in St. Helens Borough include 2 Sites of Special Scientific Interest, Stanley Bank Meadow and Highfield Moss

iii) Local • 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)

In addition, priority habitats and species, and legally protected species.

Other protected sites, habitats and species

*2. 3. Development that would cause significant harm to a Site of Special Scientific Interest (SSSI), Local Wildlife Site, Local Nature Reserve, Local 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.*

Mitigation, replacement or other compensatory provision

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):

a) on the development site;

b) locations within the immediate locality and /or supporting LCR Ecological Network;

c) locations that fall within the LCR Nature Improvement Area and within the Borough; and lastly d) locations that fall within the LCR Nature Improvement Area but outside the Borough.

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.

Evidence requirements

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.

~~*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.*~~

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

- 3.1.20. Barratt is still concerned that proposed modifications retains the further criterion (Section 7) which explains that implementation of the Policy will be set out in the proposed Nature Conservation Supplementary Planning Document (“SPD”), which is currently in draft form [SD019].
- 3.1.21. To our knowledge, this Draft SPD has not been subject to any public consultation and Barratt has not had the opportunity to make comments on the SPD or its supporting evidence base. Its inclusion as a submission document [SD019] should not be mistaken for an endorsement of its justification or soundness.
- 3.1.22. Paragraph 008 (Reference ID: 61-008-20190315) of the ‘Plan-making’ section of Planning Practice Guidance (“PPG”) reminds us that: “As [SPDs] do not form part of the development plan, they

cannot introduce new planning policies into the development plan... They should not add unnecessarily to the financial burdens on development.”

3.1.23. Therefore, Barratt strongly resists any attempt to introduce new policies through the ‘back door’ without any evidence.

MM029 – LPC10

3.1.24. MM029, Policy LPC10 was revised to read as follows:

Policy LPC10: Trees and Woodland

- 1. The Council will, working where necessary with the Mersey Forest and other partner organisations, seek to increase the extent of tree cover across the Borough and to protect and enhance the multi-purpose value of trees, woodlands and hedgerows.*
- 2. New development, as appropriate having regard to its scale and nature, will be required to include the planting of new trees, woodlands, hedgerows and / or financial contributions towards off-site provision. Arrangements should be made for any tree(s) or hedgerow(s) that are planted to be replaced in the event of failure or damage within a prescribed period.*
- 3. Proposals for new development will only be permitted if they would conserve, enhance and / or manage existing trees, woodlands and hedgerows as appropriate, for example by being laid out to provide adequate spacing between existing trees and buildings and including long term management proposals.*
- 4. Any development proposal that would affect a site containing tree(s) or woodland must be accompanied by a tree survey and an arboricultural constraints/implications report, produced to the current British Standard, to enable the effect of the development on the tree(s) to be properly assessed and appropriate tree protection measures to be identified. Any approved tree protection measures must then be maintained throughout the period of any demolition and / or construction works.*
- 5. Development resulting in the loss or deterioration of any area of ancient woodland or of any ancient or veteran tree will be refused unless there are wholly exceptional circumstances in which the need for, and benefits of, the development would clearly outweigh any resultant loss and a suitable mitigation strategy exists.*
- 6. Development proposals ~~must~~ **should** be designed and laid out in a manner that would **retain** ~~not~~ ~~damage or destroy~~ any tree subject to a Tree Preservation Order, any other protected tree, any other tree of value including any veteran tree, trees of value as a group, any tree of substantive heritage value or any length of hedgerow, unless it can be justified for good arboricultural reasons or there is a clearly demonstrated public benefit that would outweigh the value of the tree(s) and or hedgerow(s). Where any tree is justifiably lost its replacement will normally be required on at least a 2 for 1 ratio, with impacts on woodlands mitigated in line with Policy LPC06. Any tree(s) planted must be replaced in the event of failure or damage during a prescribed period.*
- 7. Proposals that would enhance the value and / or contribution of woodland in respect of: recreational or educational needs; health; the landscape or townscape; heritage; biodiversity; tourism; and / or economic regeneration will be supported.*

3.1.1. MM029 seeks to remove reference to requiring developments to retain all specified trees on site to provide greater flexibility. However, it does not address Barratt’s concern regarding the requirement to replace the loss of existing trees on ‘2 for 1’ ratio which is not justified.

- 3.1.2. Whilst Barratt does not disagree that new tree planting can have positive effects on biodiversity, there is no evidence to demonstrate that the requirement to replace the loss of existing trees on a simple '2 for 1' ratio is appropriate.
- 3.1.3. The Council itself acknowledges that "the achievement of biodiversity net gains encompasses a variety of methods" [SHBC002]. However, it has neither produced any evidence to demonstrate that replacing existing trees on a '2 for 1' ratio is the most appropriate course of action, nor has it assessed the impacts on the viability of development, as per paragraph 34 of the NPPF.
- 3.1.4. In addition, we are concerned that the phrase "normally be required" does not explicitly recognise that there may be other circumstances where '2 for 1' replacement tree planting is not appropriate, such as for viability reasons or taking account of site-specific and locational factors etc.
- 3.1.5. Therefore, we request again that remove the '2 for 1' ratio from the Policy.

MM032 – LPC13

- 3.1.6. Under MM032, Policy LPC13 has been revised to read as follows:

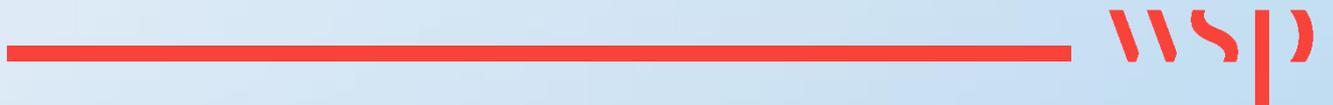
Policy LPC13: Renewable and Low Carbon Energy Development

1. *Proposals for development that would produce and / or distribute decentralised, low carbon or renewable energy will be permitted provided that they would:*
 - *a) avoid causing unacceptable harm to: the appearance or character of the surrounding landscape; natural resources; biodiversity; geodiversity; water or air quality; aviation or road safety; public amenity; or the living conditions of occupiers of any nearby dwellings;*
 - *b) comply with relevant national and local policies concerning new development in the Green Belt; and*
 - *c) comply with Policy LPC11 'Historic Environment'. When proposals are being assessed against these criteria, regard will be had to any environmental, social and / or economic benefits that the proposals would provide, and their number, scale, siting, design and any cumulative impact in conjunction with other proposals.*
2. *Proposals that would otherwise result in an unacceptable impact under paragraph 1 of this Policy must be mitigated by appropriate measures agreed by the Council. All proposals must be accompanied by information that shows how the local environment would be protected, and how the site would be restored when energy production or distribution ends.*
3. *Relevant evidence that will be taken into account in assessing the suitability of any proposals under paragraph 1 of this Policy will include (alongside any other relevant material): the Liverpool City Region Renewable Energy Capacity Study 2010; any document(s) that may supersede this; the Merseyside Historic Landscape Characterisation Study; the evidence base for the Merseyside and Halton Joint Waste Local Plan; and the St.Helens Landscape Character Assessment.*
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 **equivalent to CSH level 4, ie. 19% carbon reduction against Part L 2013 unless proven unviable.** To this end they should use energy efficiently and where feasible incorporate decentralised energy systems that would use or generate renewable or other forms of low carbon energy. Large scale schemes that would generate a significant source or demand for heat should also be supported by evidence considering the feasibility of serving the development by means of a district heating scheme. Proposals for new development within a strategic employment site or a strategic housing site (as defined in Policies LPA04.1 and LPA05.1) must, unless this is shown not to be practicable or viable, ensure that at least 10% of their energy needs can be met from renewable and / or other low carbon energy source(s).*

- 3.1.7. In our view, the requirement for strategic housing sites to provide at least 10% of their energy needs from renewable/low carbon sources is not justified or consistent with national policy. Although the Policy includes an “unless... practicable or viable” ‘get out’ clause, there is no evidence to support the introduction of this requirement, or that it should solely be applied to strategic housing sites (i.e., allocations).
- 3.1.8. The assumption that renewable and low carbon energy generation is “more viable and feasible in larger developments” (paragraph 7.27.6 of the Plan), is overly simplistic and does not take account of the significant costs and other considerations (as explained elsewhere in this statement) of developing strategic allocations.
- 3.1.9. Instead, Barratt requests that the Policy be expressed more as an ambition that such sites should aspire to achieve, rather than as a mandatory requirement.
- 3.1.10. In terms of energy performance, Barratt considers that the Council should comply with the Government’s intention of setting standards for energy efficiency through Building Regulations, as part of its ambitious climate change targets.
- 3.1.11. By way of context, the new homes that Barratt currently builds are some of the most energy efficient in the company’s history. This is already achieved through compliance with minimum Building Regulations requirements and a ‘fabric first’ approach. As Building Regulations requirements are increased by the Government over time, then energy efficiencies will consequently be achieved.

4

DEVELOPMENT MANAGEMENT POLICIES



4 DEVELOPMENT MANAGEMENT POLICIES

MM034 – LPD01

4.1.1. Under MM034, Policy LPD01 has been revised to read as follows:

Policy LPD01: Ensuring Quality Development

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

1. Quality of the Built Environment

- a) Maintain or enhance the character and appearance of the local environment, **with a focus on the importance of local distinctiveness, as well as using good design to improve the quality of areas that may have become run down and be in need of regeneration** 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;*
- b) Avoid causing **unacceptable** harm to the amenities of the local area and surrounding residential and other land uses and occupiers;*
- c) Ensure that the occupiers of new developments will enjoy a **high an appropriate** standard of amenity and will not be **unacceptably adversely** affected by neighbouring uses and vice versa;*
- d) Link in with surrounding movement patterns and not be prejudicial to the development of neighbouring land for example by creating landlocked sites;*
- e) Be located and designed so as to minimise opportunities for crime, for example by maximising natural surveillance;*
- f) Respect any existing natural features of the site by conserving, restoring or enhancing biodiversity and minimising any adverse impact on important natural features;*
- g) Provide landscaping, **including tree-lined streets**, as an integral part of the development, protecting existing landscape features such as trees, hedges and watercourses and enhancing the public realm;*
- h) **Encourage the inclusion** of ~~include or contribute~~ or **make a contribution** to the provision of public art within appropriate schemes ~~circumstances~~ (for example where the development would be of a substantial size and / or in a prominent gateway or town centre location);*
- i) Provide for the needs of special groups in the community such as the elderly and those with disabilities **as identified in Policy LPC01**; and*
- j) Protect the setting, integrity and character of heritage assets in accordance with Policy LPC11.*

No further amendments made to the rest of the policy

4.1.2. Whilst Barratt generally supports this Policy and strives to build high-quality homes across all its sites, it is concerned that there are still onerous restrictions that have not been addressed by MM046.

Section 1 part (h)

- 4.1.3. Barratt supports the proposed amendment (MM046) to Section 1 part (h) to ‘encourage’, rather than ‘Include or contribute’ to, public art, particularly given that the Council has acknowledged [SHBC010] that its effect on viability has not been assessed [VIA001].

Section 3 part (c)

- 4.1.4. Barratt opposes Section 3 part (c) which repeats the requirements of Policy LPC13, in terms of energy efficiency and low carbon and renewable energy. This is unnecessary and should be removed. In any event, we object to the approach of Policy LPC13 and have requested that the Council rely upon Building Regulations to achieve this aspiration instead.

Section 3 part (d)

- 4.1.5. Barratt opposes Section 3 part (d) which seeks to “Avoid loss of or damage to high quality agricultural land and/or soils (except where clearly justified by wider public benefits) and minimise such loss or damage where this is shown to be unavoidable”. This is in conflict with other parts of the Plan.
- 4.1.6. For example, most sites that are proposed to be released from the Green Belt and allocated or safeguarded for housing and employment are currently in agricultural use. In concluding that these sites should be allocated or safeguarded, the Council has already made an assessment through its Green Belt Reviews [GRE001, SD020, SD021] and Sustainability Appraisals [LPI012, SD005] that the loss or damage is justified by wider public benefits and is unavoidable.
- 4.1.7. Therefore, to request this assessment to be undertaken again at the planning application stage is unnecessary and further increases the burden on developers of allocated sites (such as Site 2HA). We would suggest that this further test is directed towards unallocated sites as an alternative measure to ensure no loss or damage.

MM035 – LPD02

- 4.1.8. Under MM035, Policy LPD02 has been revised to read as follows:

Policy LPD02: Design and Layout of New Housing

New residential developments will be required to:

- 1. be of a high-quality design and use good architecture that respects and / or enhances the character of the surrounding area in terms of appearance, materials used, scale, mass, and pattern of structures, spaces and streets;*
- 2. enhance local distinctiveness by reflecting good aspects of the character and environment of the local area, maintaining a strong sense of place, improving any poorer aspects and adding new features that benefit the local environment over the full lifetime of the development;*
- 3. provide appropriate landscaping, **including tree lined streets**, using native tree and shrub species and where appropriate other boundary treatments, thereby providing a strong Green Infrastructure in line with Policy LPA09;*
- 4. provide a safe, secure, attractive, permeable, legible and useable environment for all users, that reinforces existing connections and creates new ones where necessary, including for pedestrians, cyclists, less mobile people and the elderly;*

5. promote safe living environments that encourage natural surveillance and reduce the levels and fear of crime, disorder and anti-social behaviour;

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 heritage asset~~ **Ensure heritage assets are treated in accordance with Policy LPC11 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;**

7. **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** ~~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;~~

8. provide a satisfactory level of privacy, outlook and natural lighting for its future residents and for occupiers of neighbouring properties;

9. incorporate waste storage and recycling facilities, public transport infrastructure and car parking for residents and visitors (in line with Policy LPA07), all designed and integrated in a way that will preserve or enhance the street scene and safeguard amenity; and 10. be laid out and designed to ensure that the development is inclusive and accessible to all intended and future users, consistent with Policy LPC01.

- 4.1.9. Again, whilst Barratt strives to build high-quality homes across all its sites, it is concerned that despite the proposed amendments (MM047), there is still duplication with other policies of the Plan.
- 4.1.10. We are principally concerned with the duplication with Policy LPD01. However, the Policy also repeats Policies LPA07, LPA09, LPC01 and LPC11, and as proposed by MM035, additionally Policies LPC06, LPC08, LPC09 and LCP10.
- 4.1.11. Given that the Plan should be read as a whole, this duplication is unnecessary.
- 4.1.12. In our view, it would be more effective to apply generic development criteria within a single policy for all new development for clarity. If any elaboration to such a policy is required. it could be contained within an update to the existing New Residential Development SPD within the Plan period.

MM036 – LPD03

4.1.13. Under MM036, Policy LPD03 has been revised to read as follows:

Policy LPD03: Open Space and Residential Development

1. Proposals for new residential development of 40 dwellings or more will be required to make provision for new open space, or the expansion or enhancement of existing open space provision, where:

a) there are existing deficiencies in the quantity, accessibility or quality of open space(s) in the area;

b) the development would generate a need for open space that cannot be satisfactorily or fully met by existing provision in the area; Or

c) or 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.

2. The standards set out in Table 7.1 (under Policy LPC05) will be used to guide the type, quantity and quality of open space that is required. The following matters will be considered: a) the estimated number of residents who would occupy the development (based upon the number of new residential bed spaces that would be provided); and b) the quantity, accessibility and quality of existing provision in the area.

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.

3 4. The required amount of open space should be provided on the development site unless it has been demonstrated that developer contributions towards the provision, expansion or enhancement of off-site open space within the locality would be more suitable. The appropriate balance between provision of new open space and the expansion or enhancement of existing open space will be determined having regard to:

a) the amount, proximity and quality of existing open space in the area; b) the type and density of the proposed housing development;

c) the numbers of new dwellings to be created; and

d) any other practical site-specific factors.

4 5. Development proposals that would include new open space must incorporate suitable arrangements for its long-term management and maintenance and ensure that it will have continued public access.

5 6. Any new open space created will be afforded protection in accordance with Policy LPC05.

4.1.14. Barratt objects to the proposed new part (c) to Section 1 of Policy LPD03 and paragraph 7.3.11 which require ‘larger residential developments’ to provide certain types of open space to create visual relief as part of an attractive and well-designed development (within MM053) [SHBC010].

4.1.15. There is no justification or evidence to demonstrate that the impact of this requirement on viability has been assessed. Notwithstanding this, the layout, landscaping, design and appearance of development are matters that will be assessed against other policies of the Plan, and so it is unnecessary duplication to repeat those requirements here

4.1.16. Barratt also objects to the proposed new Section 3 of Policy LDP03 which requires contributions towards outdoor sports facilities, as informed by the latest Playing Pitch Strategy and Action Plan (MM054).

- 4.1.17. As noted by the Inspectors, the existing Playing Pitch Strategy and Action Plan [OPE005] dates from 2016 and is not fit for purpose. Whilst new evidence may have been commissioned by the Council to supersede this document, there is no justification to demonstrate that the impact of this requirement has been assessed.
- 4.1.18. The reliance, at this late stage, on emerging, unpublished evidence provides no certainty or clarity to developers or the local community alike. It is unlikely that landowners and developers will have factored in these new requirements into their development appraisals, and so its application could have significant adverse impacts on the viability of sites and allocations if introduced. Equally, Barratt is keen to deliver new homes at Site 2HA and does not wish to see the adoption of the Plan delayed to enable more up-to-date evidence to be prepared. Therefore, if these requirements are not justified, they should not be included within the Plan.
- 4.1.19. The Policy as worded does not incorporate any flexibility which would enable viability alongside site-specific evidence, conditions and factors to be taken into account in determining the provision of outdoor sport.

MM038 – LPD07

- 4.1.20. Under MM038, Policy LPD07 has been revised to read as follows:

- 2. There should be no suitable alternative site(s) available that could more satisfactorily meet the identified need for the proposed development;*
- 3. Building-mounted dishes and apparatus must normally be placed in the least obtrusive position possible, and designed and sited to reduce visual clutter, taking account of the architectural detailing, materials and colour of the host building and its neighbours;*
- 4. Development must not have an unacceptable impact, including cumulative impact, on residential amenity, landscape or townscape character, or wildlife;*
- 5. Any development that could affect the character or setting of a heritage asset must satisfy the requirements of Policy LPC11;*
- 6. Existing landscape features must be utilised and / or an appropriate landscaping scheme be implemented to minimise any impact on the visual amenity, character or appearance of the surrounding area;*
- 7. Apparatus, mountings and ancillary structures should be coloured in a durable finish to minimise any visual harm that would arise from the proposal; and*
- 8. Underground facilities and ducts should be sited and laid to minimise harm to tree roots or areas of archaeological importance. The Council will continue to work with its Liverpool City Region partners to improve digital infrastructure within the Borough.*

- 4.1.21. Barratt agrees that it is important to provide high quality digital infrastructure. As paragraph 114 of the NPPF recognises, it is essential for economic growth and social well-being, as emphasised through the pandemic.
- 4.1.22. Barratt already facilitates the expansion of on-site digital infrastructure as part of the process of developing sites. This is borne within the costs of development and is secured through existing Building Regulations (Part R).



- 4.1.23. We are pleased to see the removal of “*off-site fast broadband infrastructure to serve the area*” as this it was not justified to seek additional local technical standards over and above the requirements of Building Regulations. The introduction of this would have created serious viability issues, which would not have been assessed and could have undermined the deliverability of sites.

5

SITE PROFILES



5 SITE PROFILES

5.1.1. In this section, the following Main Modification will be reviewed MM044 – Appendix 7 Site profile Allocated employment and housing sites.

MM044

1HA Requirements:

- *Highway access should be provided via a primary access from Vicarage Road (with any necessary off-site improvements to this) and a left-in, left-out access from the A580 East Lancashire Road.*
- *Pedestrian and cycleway access will be required onto Haydock Lane via Slag Lane.*
- **Measures to secure suitable access to the site by walking, cycling and public transport such as: (a) the provision of segregated walking and cycling routes which must run through the site and link to nearby highways at Haydock Lane (via Slag Lane), Vicarage Road and the A580 East Lancashire Road (to the north east and north west of the site); and (b) the upgrading of existing bus stops on Vicarage Road and Clipsley Lane close to the site so that they become fully accessible (including for disabled persons).**
- *Provision of effective flood management measures for Clipsley Brook to reduce the risk of flooding downstream and enhance biodiversity.*
- *Financial contributions for education and off-site highway works may be required; this will be subject to further assessment at the master planning stage.*
- *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.*

5.1.2. We are pleased to note the proposed removal of several criteria under the 'Site Profiles' within Annex 7. We do not disagree with the need to set out site specific requirements, but any requirements which are generic and cross reference other policies of the Plan represent unnecessary duplication which should correctly be excluded from the Site Profiles.

5.1.3. We are pleased to see, as requested during the hearing sessions, the removal of access from Slag Lane.

5.1.4. As regards the remaining unchanged site-specific requirements, Barratts are well placed to carry out the specified supporting assessments and necessary infrastructure to ensure the site would be delivered in a timely fashion when required.



8 First Street
Manchester
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wsp.com



**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: Miss	Title: Miss
First Name: Jess	First name: Victoria
Last Name: Bond	Last Name: Coleman
Organisation/company: Barratt Homes	Organisation/company: WSP
Address: 4 Brindley Road City Park Manchester	Address: 8 First Street, Manchester
Postcode: M16 9HQ	Postcode: M15 4RP
Tel No:	Tel No:
Mobile No: C/O Agent	Mobile No: [REDACTED]
Email: C/O Agent	Email: [REDACTED]

Signature: [REDACTED]	Date: 13.01.22
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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	<p>MM Core Policies</p> <ul style="list-style-type: none">■ MM009 – LPA05■ MM013 – LPA08■ MM014 – LPA09■ MM016 – LPA11 <p>Homes and Communities</p> <ul style="list-style-type: none">■ MM021 – LPC01■ MM022 – LPC02■ MM026 – LPC06■ MM029 – LPC10■ MM032 – LPC13 <p>Development Management Policies</p> <ul style="list-style-type: none">■ MM034 – LPD01■ MM035 – LPD02■ MM036 – LPD03■ MM038 – LPD07 <p>Site Profiles</p> <ul style="list-style-type: none">■ MM044 – Site Profiles Allocated Employment and Housing Sites

5a. Do you consider that this proposed Main Modification is legally compliant?	
Yes – X	No <input type="checkbox"/>

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 <input type="checkbox"/>	No - X

Please tick as appropriate

6. Please provide a reason for your response to questions 5a and 5b above.
<p>Please see attached representation.</p> <p style="text-align: right;">Please continue on a separate sheet if necessary</p>

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.**

RO1946

From: Andrew Windress <[REDACTED]>
Sent: 12 January 2022 15:14
To: planningpolicy@sthelens.gov.uk
Subject: RE: St Helens Borough Local Plan Main Modifications Consultation
Attachments: representation-form-final - MM006.pdf; representation-form-final - MM009.pdf; representation-form-final - MM011.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.

Please find attached representations on the Main Mods.

Regards

Andrew

Andrew Windress MA MRTPI

Director

t: [REDACTED]
a: 9 York Place, Leeds, LS1 2DS
w: www.idplanning.co.uk –

From: planningpolicy@sthelens.gov.uk <planningpolicy@sthelens.gov.uk>
Sent: 18 November 2021 12:54
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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**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:	Title: Mr
First Name:	First name: Andrew
Last Name:	Last Name: Windress
Organisation/company: Jockey Club Racecourses Ltd	Organisation/company: ID Planning
Address: c/o agent	Address: 9 York Place, Leeds
Postcode:	Postcode: LS1 2DS
Tel No:	Tel No: [REDACTED]
Mobile No:	Mobile No:
Email:	Email: [REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	06/01/22
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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

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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

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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.

MM006 relates to Policy LPA02 (Spatial Strategy). The proposed modification alters the wording in relation to prioritisation of brownfield development and seeks to re-use suitable previously developed land in Key Settlements. We support this change.

Additional justification text is also proposed (paragraphs 4.6.10-4.6.13) which seeks to provide clarity on the strategic case for the justification of land being removed from the Green Belt. Proposed paragraph 4.6.10 refers to the SHLAA and the capacity for substantial housing development on urban sites whilst also highlighting that Green Belt release would be required to meet housing and employment needs over the plan period.

We support the additional text and clarity provided in MM006 in principle. Together the changes proposed provide clear support for the development of brownfield land as a priority whilst acknowledging there is insufficient urban capacity to meet the identified housing and employment requirements which necessitates Green Belt release.

Whilst we support these changes in principle, this comment form must be read alongside our representations to MM009 and MM011 which relates to the assessment of my client's site to the west of Haydock racecourse (historic site ref: 2015_003, Green Belt Review refs: GBS_157 and GBP_033). This is a brownfield site adjacent to the Key Settlement of Haydock, which is proposed to be released from the Green Belt, but is not proposed as an allocation. The allocation of this site for housing or alternatively as a leisure (hotel) or employment use would wholly meet with the aims of the spatial strategy as set out in Policy LPA02 and modified by MM006.

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.**



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

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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:	Title: Mr
First Name:	First name: Andrew
Last Name:	Last Name: Windress
Organisation/company: Jockey Club Racecourses Ltd	Organisation/company: ID Planning
Address: c/o agent	Address: 9 York Place, Leeds
Postcode:	Postcode: LS1 2DS
Tel No:	Tel No: [REDACTED]
Mobile No:	Mobile No:
Email:	Email: [REDACTED]

Signature:

[REDACTED]

Date:

06/01/22

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

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RETURN DETAILS

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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 **MM009**

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.

MM009 relates to Policy LPA05 (Meeting St Helens Borough's Housing Needs). The modification increases the minimum net additional dwellings required over the plan period from 9,234 to 20,206. This modification is a result of the proposed extension of the plan period by two years. We support the extension of the plan period and the consequential increase in the total housing requirement figure.

As part of MM009 updated housing supply tables are provided (Tables 5.2-5.5 replace Table 4.6 Housing Land Supply). The updated table identifies a residual requirement of 7,132 dwellings and a total supply of 7,784 dwellings. Of the total supply, 2114 dwellings are on land to be released from the Green Belt. Whilst the plan identifies sufficient sites to meet the increased requirement, the Council's approach to site selection and Green Belt release does not accord with the NPPF which states at paragraph 119 that:-

"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."

The Council should therefore be promoting the development of brownfield sites and Policy LPA02 (Spatial Strategy) and associated modification MM006 confirm the Council's commitment to the re-use of suitable previously developed land in Key Settlements. However, the Council has not duly assessed my client's brownfield site as a potential housing allocation despite proposing that it be removed from the Green Belt. The Council's approach is not justified in the context of the proposed Spatial Strategy.

The updated 5 Year Housing Land Supply Table set out in Annex 4 of the Modifications Schedule identifies a 5.1 year supply as at 31/01/21. This is a marginal supply position and presents a high risk that sites will come forward outside of the Local Plan process because a 5 year supply cannot be demonstrated. On this basis, there is justification for additional small to medium sites to be allocated that can be delivered in the next 5 years to ensure the Council's 5 year supply position is robust in the early years of the plan.

New supporting paragraph 4.18.23 sets out the exceptional circumstances case for the release of the 6 housing allocations that are proposed to be allocated for housing development. We do not consider the exceptional circumstances case in support of these sites is sound as the Council has not fully considered the Jockey Club's site to the west of Haydock racecourse (historic site ref: 2015_003, Green Belt Review refs: GBS_157 and GBP_033) in the context that at the submission draft consultation stage the Council proposed to remove this site from the Green Belt. The Council have not subsequently fully assessed the site for residential allocation in that context or provided reasoned justification as to why it is not deemed to be suitable for allocation.

The Jockey Club site is a brownfield site which should be supported for development in order that effective use is made of land, as required by the NPPF (paragraph 119). The Council's exceptional circumstances case is therefore unsound as it is not justified and does not accord with the national policy as this brownfield Green Belt should be identified as a proposed allocation ahead of greenfield Green Belt sites.

Whilst we agree with the removal of the site from the Green Belt, it is important to appreciate that the site could be suitably removed on its own merits, irrespective of the nearby safeguarded employment site. As established in previous representations, the site has a very limited impact on the purpose and function of the Green Belt. The most recent assessment of the site as part of the 2018 Green Belt Review included the site within a larger parcel which included proposed safeguarded land site 2ES and which comprises the majority of the parcel. In the earlier 2016 Green Belt Review the site was assessed as its own parcel and it was concluded the site had very limited impact on the Green Belt.

The site has been promoted for residential allocation throughout the various preparation stages of the Local Plan, having been submitted through the Call for Sites in 2014 and 2016 and a SHLAA submission in 2015. In addition, representations have been made to the Allocations and Sustainable Development Local Plan (ASD LP) in 2015, the Scoping Document in February 2016, the Preferred Options consultation in January 2017 and the Submission Draft in January 2019.

As part of the 2015 representations a full suite of supporting documents was provided which demonstrate that the site is suitable for residential development and there are no technical constraints which would prevent the site from coming forward. A detailed masterplan document formed part of the submission and proposed to retain the trees which comprise the western half of the site with the cleared part of the site able to accommodate 50 dwellings. The Sustainability Appraisal of the site identified a TPO as a constraint but this does not prevent the development of the site, the developable area relates to the cleared part of the site which can deliver 50 dwellings. This site is in a sustainable location on the edge of the Key Settlement of Haydock and is therefore in a suitable location for housing development.

There is no evidence that the Council have given due consideration to this site as a proposed allocation after it was decided to remove the site from the Green Belt. There is no clear justification given in the Council's statement of consultation following our submission draft representations as to why this site is not suitable for allocation.

We therefore maintain the position set out in our representations that the plan as proposed is unsound as it does not propose to allocate the Jockey Club's site despite the fact that it comprises brownfield land which is to be removed from the Green Belt at a time when Green Belt sites are required to meet the identified housing need and 6 greenfield Green Belt sites are proposed for allocation.

It has been evidenced that there are no technical constraints that would prevent delivery and therefore this site should be allocated ahead of any greenfield Green Belt release sites to ensure the approach accords with the spatial strategy and supports the delivery of brownfield sites as set out in the NPPF. The Council's approach is unsound as it results in a plan that is not positively prepared, is unjustified and does not accord with national planning policy.

This response should be read in conjunction with our response to MM006 and MM011.

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.**



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

Ref:

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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:	Title: Mr
First Name:	First name: Andrew
Last Name:	Last Name: Windress
Organisation/company: Jockey Club Racecourses Ltd	Organisation/company: ID Planning
Address: c/o agent	Address: 9 York Place, Leeds
Postcode:	Postcode: LS1 2DS
Tel No:	Tel No: [REDACTED]
Mobile No:	Mobile No:
Email:	Email: [REDACTED]

Signature:

[REDACTED]

Date:

06/01/2022

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

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RETURN DETAILS

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St Helens Borough Council,
St. Helens Town Hall,
Victoria Square,
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Telephone: 01744 676190

NEXT STEPS

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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.

MM011 relates to Policy LPA06 (Safeguarded Land). As part of the proposed modification additional site specific justification is provided in relation to the release of the proposed safeguarded sites from the Green Belt. Additional justification is provided in relation to site 2ES (Land North East of Junction 23 M6 – South of Haydock racecourse), which lies immediately to the south of my client's site to the west of Haydock Racecourse (historic site ref: 2015_003, Green Belt Review refs: GBS_157 and GBP_033).

We support the exceptional circumstances case set out in proposed additional paragraph 4.24.9 which highlights that there is a clear need to provide additional employment land to meet the identified need within the plan period and beyond. It is as a consequence of the removal of this site from the Green Belt that my client's site is also to be removed from the Green Belt as the identification of site 2ES as safeguarded land would result in my client's site becoming an 'isolated island' of Green Belt' (Green Belt Review 2016 Ref: Consequential Change 14 – CC14).

The land in the ownership of Jockey Club Racecourses lies immediately to the north of site 2ES with built development to the north and west and the racecourse to the east. Whilst we fully support the removal of the site from the Green Belt, it is important to appreciate that the site could be suitably removed on its own merits, irrespective of the nearby safeguarded employment site. As established in previous representations, the site has a very limited impact on the purpose and function of the Green Belt.

The proposal to remove the Jockey Club's site from the Green Belt was only proposed at the submission draft stage. However, in doing so it is not evident that the Council has fully assessed the suitability of this site for a residential allocation in the context of it being proposed for removal from the Green Belt and given it comprises previously developed land (see comment form in relation to MM009). The site has not been assessed through the SHLAA on the basis that it was a Green Belt site and the Green Belt assessment of the site considers it as part of the wider parcel including site 2ES, rather than as a separate entity.

Whilst we therefore fully support the Council in proposing site 2ES as safeguarded land, the consequential removal of the Jockey Club's land to the east of the racecourse from the Green

Belt has not been fully assessed as an alternative option to the other Green Belt sites that are proposed to be released for housing development and which are not brownfield sites.

This response should be read in conjunction with our response to MM006 and MM009.

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.**

RO1950

[REDACTED]

From: Chris Gardner [REDACTED]
Sent: 11 January 2022 16:26
To: planningpolicy@sthelens.gov.uk
Cc: [REDACTED]
Subject: St Helens Borough Local Plan 2020 - 2035 Submission Draft - Main Modifications Consultation
Attachments: OSHL - Proposed Main Mods Letter 11012022.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 Sir / Madam

On behalf of our client, Omega St Helens Ltd (OSHL), please accept this written representation in response to the Local Plan Submission Draft Proposed Main Modifications, which were published for a period of public consultation on 18 November 2021.

We trust you find this in order and look forward to receiving confirmation of receipt of this representation as appropriate in due course.

Kind Regards

Chris Gardner
Director



[REDACTED]

progress

planning consultancy ltd



Freepost LOCAL PLAN
St Helens Borough Council
St Helens Town Hall
Victoria Square
St Helens
WA10 1HP

11 January 2022

Dear Sir / Madam

**ST HELENS BOROUGH LOCAL PLAN 2020-2035 SUBMISISON DRAFT – PROPOSED MAIN
MODIFICATIONS CONSULTATION – NOV 2021 TO JAN 2022
PROPOSED ALLOCATION SITE 1EA – OMEGA SOUTH WESTERN EXTENSION**

We write on behalf of our client, Omega St Helens Ltd (OSHL), in response to the Local Plan Submission Draft Proposed Main Modifications, which were published for a period of public consultation on 18 November 2021.

The purpose of this letter is to provide an update on the Called-In application (P/2020/0061/HYBR) which affects proposed site allocation 1EA (Omega South Western Extension) and to request that the Local Plan is modified to reflect the status of the application.

Firstly therefore, as the Council will be aware, we can confirm that on 11 November 2021 the Secretary of State issued his decision on the Called-In application, confirming that in line with the Inspector's recommendation he has decided to grant planning permission.

Overall, the SoS concluded that that the application was in line with the development plan and that where harm resulting from the development was identified, that this was clearly outweighed by other material considerations and therefore very special circumstances did exist to justify permitting the development.

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In respect of the Local Plan and specifically proposed site allocation 1EA, the potential impact of an approval was discussed at the EIP Hearing Sessions and a specific question was asked regarding this matter. Question 4a (Matter 4: Issue 1) asked:

“4a. If the called in application was permitted during the examination period would it be appropriate to increase the size of the allocation?”

At the Hearing Session the Council, in response to this question, confirmed that should the Called-In application be permitted then it would be considered appropriate to increase the size of the allocation to reflect the application redline boundary. This position was supported by OSHL, who on the 18 June 2021 submitted a Supplementary Note on this matter and subsequently wrote to to the Programme Officer following the SoS decision..

It was therefore OSHL’s expectation that, following the approval of the planning application by the SoS, the proposed allocation would be amended in the Local Plan to reflect the decision. However, it is understood that during later EIP Hearing Sessions the Local Plan Inspectors confirmed that they were using the 31 March 2021 as the cut off when considering matters of land supply and that as such there was no requirement on the Council to update the Plan to reflect changes in employment land supply after this date, which includes the Omega West SoS decision.

It is therefore understood that the Council do not intend to amend the Site 1EA allocation boundaries to reflect the approved Omega West application boundaries.

Whilst OSHL acknowledge the Inspector’s decision and accept the Council’s position in this regard, we would respectfully ask the Council to consider the inclusion of an acknowledgement and / or reference to the fact that the application has been approved, at an appropriate location within the Local Plan – for example in the Site Profile for Site 1EA. The inclusion of such an acknowledgement would give OSHL a degree of comfort as they seek to realise this significant investment and employment opportunity and the benefits it will deliver at a local, regional and national scale.

We trust you find this in order and look forward to receiving confirmation of receipt of this representation as appropriate in due course.

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planning consultancy ltd

Yours sincerely,



Chris Gardner



RO1952

From: Gomersal, Emma [REDACTED]
Sent: 12 January 2022 15:18
To: planningpolicy@sthelens.gov.uk
Cc: [REDACTED]
Subject: St Helens_Local Plan Main Modification Consultation Response
Attachments: CCfE_St Helens_Main Mods_SUBMITTED.pdf

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Good afternoon,

Please find the attached representation submitted on behalf of the Church Commissioners for England, in response to the Local Plan Proposed Main Modifications consultation. I would be grateful if you could please provide confirmation of receipt.

Many thanks,
Emma

Emma Gomersal

Assistant Director | FA - Real Assets Advisory | Deloitte LLP
1 City Square, Leeds, LS1 2AL

[REDACTED]
[REDACTED] | www.deloitte.co.uk



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St Helens Borough Council: Local Plan
Main Modifications Consultation
The Church Commissioners for
England
January 2022

1. Introduction

- 1.1 Deloitte LLP (“Deloitte”) is instructed by the Church Commissioners for England (“the Commissioners”) to submit representations to the St Helens Borough Council Local Plan Main Modifications Consultation (“the Main Modifications”) which is subject to public consultation until 13th January 2022.
- 1.2 The Commissioners have submitted representations to St Helens Borough Council (“the Council”) throughout the plan-making process for the emerging Local Plan and were represented at the Examination in Public Hearing Sessions. The Council and Planning Inspectors should refer to the Commissioners’ previous representation and Hearing Statements should further context regarding the background for the Commissioners’ comments contained within these representations be required.
- 1.3 With regards to the structure of these representations, they follow that of ‘Part B’ of the Council’s ‘Proposed Main Modifications Consultation Response Form’, detailing: which Main Modification the specific comments relate to; whether the proposed Main Modification is considered legally compliant; whether the proposed Main Modification is considered ‘sound’; and the reasoning as to why the proposed Main Modification is not considered legally compliant or ‘sound’.

2. Proposed Main Modifications

2.1 The following relates to the specific proposed Main Modifications to which the Commissioners wish to raise comment.

Proposed Main Modification MM06

2.2 Proposed Main Modification MM06 relates to emerging Policy LPA02 ('Spatial Strategy').

2.3 The Commissioners do not wish to make any comment regarding the legal compliance of proposed Main Modification MM06.

2.4 The Commissioners welcome the expanded reasoned justification that provides the strategic case for exceptional circumstances for the removal of land from the Green Belt in the Local Plan. The Commissioners support the acknowledgement that whilst *"St Helens shares a housing market area with Halton and Warrington, both have identified shortages of urban land supply for housing"* and *"such is the shortage of employment and housing development land in the surrounding area as whole that several authorities...have successfully undertaken local Green Belt Reviews to meet their own needs...None of these reviews have identified surplus capacity to help meet development needs arising in St Helens"*. The Commissioners consider that the additional text within the reasoned justification ensures that the release of Green Belt land as part of the Council's proposed Spatial Strategy is now fully 'justified' and therefore 'sound'.

Proposed Main Modification MM011

2.5 Proposed Main Modification MM011 relates to emerging Policy LPA06 ('Safeguarded Land').

2.6 The Commissioners do not wish to make any comment regarding the legal compliance of proposed Main Modification MM011.

2.7 The policy includes the sites that are to be identified as safeguarded; removed from the Green Belt to meet longer term development needs beyond the Plan period. With regards to the amount of safeguarded land proposed, there is very little change between the amount set out within the Submitted Local Plan and the amount now proposed under MM011. The 98 unit increase has resulted from a change to the site boundaries at an existing proposed safeguarded site at Newton-le-Willows ('6HS').

2.8 As detailed within the Commissioners Matter 3 Hearing Statement and as raised at the Hearing Session, the amount of safeguarded land proposed under Policy LPA006 is not considered to be *"aspirational"* (as per the requirement of paragraph 16 of the NPPF). Furthermore, there is limited justification as to why the extension of proposed safeguarded site 6HS is considered the most appropriate site for the marginal increase that is proposed. The Commissioners' site at Rainford (identified as site 18HS within earlier iterations of the emerging Plan) would provide a suitable site for future development in the north-west of the Borough, an area that is currently very limited in terms of proposed site allocations and safeguarded sites for housing.

2.9 Main Modification MM011 does not propose to amend reference as to where longer-term future supply would be drawn from. As was the case with the

Submitted Local Plan (as detailed within the Housing Needs Background Paper at paragraphs 3.51 to 3.56), the assumptions continue to include the land referred to as the “SHLAA capacity reduction” (this being a 15% reduction for the non-delivery of dwellings for years 6-15 and a 20% buffer to the Green Belt allocations) being delivered in the Plan period, thus leaving a residual amount of land that will be available for development in the next Plan period. If this assumption were a realistic proposition, then the question still remains as to why the SHLAA capacity reduction was applied when determining the housing supply position for the Plan period.

- 2.10 With regards to the sites that have been identified as safeguarded land within the emerging Plan, there are a number (namely 3HS (‘Former Eccleston Park Golf Club’) and 8HS (‘Land South of A580 between Houghtons Lane and Crantock Grove’)) that have indicative capacities of circa. 1,000 units. As detailed at paragraph 22 of the National Planning Policy Framework that was published in July 2021 after the Hearing Sessions took place, *“where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the areas, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery”*. Therefore, if part of the Council’s strategy is to identify such large scale sites as safeguarded, for potential growth beyond the existing 15-year Plan period, then it is considered that further justification should be provided as to why the Council is only seeking to identify circa 5-years’ worth of safeguarded land.
- 2.11 The Council has sought to provide further justification for the identification of safeguarded land as part of MM011. However, justification is very limited and based on evidence which, as discussed throughout the plan-making the processes, particularly in relation to the Green Belt Review assessments, the Commissioners do not consider to be robust.
- 2.12 For the above reasons, the Commissioners do not consider that proposed Main Modification MM011 results in a fully justified Plan and therefore, in accordance with paragraph 35 of the NPPF, it is not sound.

3. Summary

- 2.1 Deloitte has been instructed by the Church Commissioners for England to submit representation to the proposed Local Plan Main Modifications consultation on their behalf.
- 2.2 This document has been prepared having regard for the Commissioners interests at Rainford, predominantly the site to the east of Higher Lane/South of Muncaster Drive, which was formerly identified as safeguarded land under site reference 18HS.
- 2.3 In summary, whilst the Commissioners support the enhanced justification for exceptional circumstances for the release of Green Belt land, the Commissioners reiterate concerns regarding the limited justification for the amount of land to be released from the Green Belt and identified as safeguarded land. The Commissioners urge the Council to review this in order to ensure that the emerging Local Plan is sound.



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RO1953

From: Coleman, Victoria [REDACTED]

Sent: 13 January 2022 14:12

To: planningpolicy@sthelens.gov.uk <planningpolicy@sthelens.gov.uk>

Cc: [REDACTED]

Subject: St Helens EiP - Main Mods Submission on behalf of Murphy Group RO1953

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,

On behalf of Murphy Group (Respondent ID: RO1953), please find attached representation for the Main Modifications Consultation and accompanying form. Any queries regarding our submissions, please get in touch.

Kind regards,
Victoria



Victoria Coleman
Planner
BSc (Hons) MA



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Murphy Group

ST HELENS BOROUGH COUNCIL EMERGING LOCAL PLAN

Representations to the Main Modification
Consultation (Examination library Ref: SHBC036)





Murphy Group

ST HELENS BOROUGH COUNCIL EMERGING LOCAL PLAN

Representations to the Main Modification Consultation
(Examination library Ref: SHBC036)

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Murphy Group

ST HELENS BOROUGH COUNCIL EMERGING LOCAL PLAN

Representations to the Main Modification Consultation
(Examination library Ref: SHBC036)

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1

INTRODUCTION



1 INTRODUCTION

- 1.1.1. On behalf of Murphy Group (Murphy) (RO: 1953), we write to submit representations to the St Helens Borough Council (“SHBC”) Proposed Local Plan Main Modification consultation (Examination Library ref. SHBC036 plus supporting documents) bearing in mind the Inspectors’ Post Hearings Advice
- 1.1.2. Murphy maintains that the local plan should address the overwhelming and urgent need for housing within the borough by proactively allocating enough land that will come forward in a plan-led way through the local plan to provide and maintain a five-year supply.
- 1.1.3. Murphy still advocates that if no further sites are allocated then the necessity for early local plan review and update is preferential to having no recognition of this issue in the plan.
- 1.1.4. Accordingly, these representations are made in respect of the following Main Modifications (MMs) which are set out in the following chapters:

Introduction

- MM002 – Local Plan Review

Core Policies

- MM006 – LPA02
- MM009 – LPA05
- MM011 – LPA06
- MM013 – LPA08

Homes and Communities Policies

- MM021 – LPC01
- MM022 – LPC02
- MM029 – LPC10
- MM032 – LPC13

Development Management Policies

- MM036 – LPD03

Site Profiles

- MM045 – Site Profiles Allocated Employment and Housing Sites

- 1.1.5. This report contains the representations in respect of each of the MMs listed above, contained in the aforementioned chapters, and accompanies the requisite Main Modifications Representation Form for each MM commented on.
- 1.1.6. The chapters have been structured to set out reasons why the MMs are either legally compliant or not or are sound or unsound and provide amendments that we consider to be necessary to make the MMs, and indeed the plan as a whole, legally compliant and sound.
- 1.1.7. For the avoidance of doubt, through this report where text is in bold this refers to additional text included as a result of a main modification and strikethrough is text to be removed.
- 1.1.8. Our proposed amendments are shown in red.

2

LOCAL PLAN REVIEW



2 LOCAL PLAN REVIEW

MM002 – LPA05

2.1.1. Under MM002, Policy LPA05 was revised to read as follows:

*“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.”*

- 2.1.2. MM002 proposes to include a local plan review mechanism at paragraph 1.9.1 of the Local Plan which is supporting text to Chapter 1: Introduction.
- 2.1.3. Murphy supports the modification but considers it needs to go further so as to include at the end of the first sentence **“Consideration of the need to update may also be required if local housing need changes significantly or a housing land supply deficit because some allocated sites are delayed”**. This will ensure an effective plan as well as incentivising those allocated sites to deliver rather than to simply sit on the allocations.
- 2.1.4. The Plan needs to be robust and capable of meeting unexpected contingencies such as delivery failure or slippage on one or more sites. It also needs to consider that the housing requirement is a minimum figure not a target. A robust strategy is one which plans for some headroom and would provide flexibility to ensure the Plan is not vulnerable.
- 2.1.5. Murphy would advocate that a revised paragraph 1.9.1 is needed which sets out clear triggers for an update for example not having a five-year supply. Without this, in such an event that the Council is without a supply and the NPPF presumption is engaged, then sites may start to come forward outside the plan led process. A contingency then needs to be put in place for this trigger such as safeguarded land being brought forward as allocations.

3

CORE POLICIES



3 CORE POLICIES

MM006

- 3.1.1. Under MM006, Policy LPA02 was revised to pick up various points to provide clarification and ensure consistency with the NPPF.
- 3.1.2. Of particular note is the addition of the below text under section 5 of the policy:
- “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.”*
- 3.1.3. We support the compensatory improvements clause added here and note in support that the Murphy land both within St Helens and immediately adjacent, within Wigan, can achieve this but only in conjunction with the development of 1HS.
- 3.1.4. We do however believe the following text should be included at the end of the above text at section five: **“It will also be a factor in the release of safeguarded land”** to ensure safeguarded land is properly assessed when being considered for release.
- 3.1.5. Site 1HS will provide significant improvements including green infrastructure on site 1HS and surrounding owned land and retain and improve public access through the site. This is of critical importance with the declared Climate Change emergency in the Borough and should be seen as a key consideration when bringing sites forward on review or update of the local plan. Accordingly, we support further text for clarity and consistency with the NPPF.

MM009

- 3.1.6. Under MM009, Policy LPA05 was revised to read as follows:

Policy LPA05: Meeting St. Helens Borough’s Housing Needs

1. In the period from 1 April 2016 to 31 March 2035~~7~~ 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.

2. The housing requirement will be met from the following sources:

- a) Completions;
- b) Sites with planning permission;
- c) Housing allocations shown on the Policies Map and listed in Table 4.5;
- d) Sites without planning permission identified in the Strategic Housing Land Availability Assessment (SHLAA); and
- e) ‘Windfall’ development, including development on small sites not individually identified in the SHLAA, sub-division of dwellings and conversions / changes of use.

3. New development should optimise the amount of housing developed on a site. New development should therefore aim to achieve the following minimum densities:

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

- *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*
 - ~~*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.*~~
- 4. The delivery of new housing development will be monitored annually to ensure that:*
- *a) an adequate supply of new housing is provided at all times in accordance with the Housing Delivery Test set out in national policy; and*
 - *b) there is a deliverable supply of housing that is sufficient to provide at least 5 years' worth of new housing development against the housing requirement. The 5-year land supply to be maintained shall include any buffer that is required under national policy. If annual monitoring demonstrates the deliverable housing land supply falls significantly below the required level, **taking into account the requirements in relation to housing delivery set out in national policy**, a partial or full plan ~~review~~ **update** will be considered to bring forward additional sites.*

3.1.7. We support the modification to paragraph 4 b.

3.1.8. Additional paragraphs have been included to articulate the exceptional circumstances justifying the removal of land from the Green Belt on a site. These provide the site-specific exceptional circumstances for the proposed housing allocations justifying their release from the Green Belt.

“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.”

3.1.9. The additional clarification in terms of Green Belt shows Garswood is a sustainable settlement ready and available for development as well as the sustainability of 1HA.

3.1.10. Of critical importance is that for both existing & putative residents at Garswood, there is potential for sustainable access to existing and proposed employment sites, including the recently approved scheme at Parkside Colliery for 1m sq ft within the St Helens borough and Tritax Symmetry’s 1.4m sq ft Symmetry Park in Wigan (outside of the borough but very close to the boundary with St Helens and to Garswood in particular). There has clearly been a shift in circumstances in and around St Helens in terms of employment numbers since the EiP hearing sessions. As such, there will become an urgent and pressing need to deliver homes alongside to serve these recent approvals in locations that are well suited, such as Garswood. We would invite both the Council and the inspectors to consider this material change in circumstances justifies including 1HS as an allocated site now.

MM011

3.1.11. Under MM011, Policy LPA06 is proposed to be modified to read as follows as the emboldened

Policy LPA06: Safeguarded Land

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~~ **this** Plan period. Such Safeguarded Land is not allocated for development in ~~the~~ **this** Plan period. The future uses that the sites are safeguarded for are listed in Tables 4.7 and 4.8.
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~~ **update (full or partial)** that proposes such development **based on the evidence showing a need for this.** ~~Accordingly,~~ **Otherwise,** Proposals for housing and employment development of safeguarded sites in ~~the~~ **this** Plan period will be refused **unless policies for the supply of housing are deemed out-of-date.**
3. Other forms of development on Safeguarded Land will only be permitted where the proposal is:
 - a) necessary for the operation of existing permitted use(s) on the land; or
 - b) for a temporary use that would retain the open nature of the land and would not prejudice the potential future development of the land for the purposes stated for each site in Tables 4.7 and 4.8.
4. Development on any other site that would prevent or limit development of Safeguarded Land for its potential future uses identified in Tables 4.7 and 4.8 will not be permitted.

black text. The suggested additional red textual changes are advocated by WSP on behalf of Murphy.

- 3.1.12. The MM proposed does not address the points made in our previous reps in that while the policy is mostly consistent, the inconsistency is that NPPF paragraph 140 d) says that permission should only be granted following an update to a plan which proposes the development, compared with LPA06 bullet 2 stating that proposals for development of safeguarded sites in the plan period will be refused. As such, the framework encourages permission not to be granted; the local plan demands that permission be refused. For consistency, clarity and therefore soundness, we maintain that the policy should be therefore further amended.
- 3.1.13. We also propose an amendment to the MM to reflect that policies for the supply of new housing may become out-of-date (under the terms of Framework footnote 33) and in such circumstances a planned system would prioritise development on safeguarded land to development on green belt land.
- 3.1.14. There has been additional Green Belt policy justification for safeguarded sites with 1HS having the following supporting text:

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

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.”

- 3.1.15. While Murphy agree that additional justification was required, the explanation provided for 1HS safeguarded status provides yet more confirmation that, given the confirmed employment permissions there is every good reason to allocate and not merely safeguard 1HS alongside the adjacent allocated site 1HA. 1HS has a role in offering people the opportunity to work and live-in close proximity so that workers can travel other than by car.
- 3.1.16. The explanatory text show that Garswood is a sustainable settlement and identifies that 1HS would be in the best position to come forward but should be expanded with similar wording to that in 1HA in respect of the site’s accessible and sustainable location proximate to facilities, public transport and indeed employment.
- 3.1.17. Given that Murphy are the sole landowner, they are well placed to bring the site forward as soon as practically possible. The explanatory paragraph 4.24.10 should therefore be amended to ensure that 1HS is not held up by any delays caused by 1HA not coming forward and should be first choice for allocation if an update of the plan occur, new sites are needed during the plan period or allocated sites are delayed as described in the proposed amendment set out in 2.1.3 of this representation.
- 3.1.18. Further modifications have also been made to the monitoring and review implementation in terms of LPA06 (Safeguarded Land) within Annex 6. The trigger for action has been amended from “10% (or more) of land safeguarded granted planning consent for built development” to “**Failure to deliver sufficient employment or housing land**”. This is not clear and provides no quantitative measure as to how this will be reviewed. A failure against the HDT and / or failure to demonstrate a five-year supply of housing should be the trigger and would be consistence with NPPF paragraph 74.

MM013

3.1.19. Under MM013, Policy LPA08 was revised to read as follows.

Policy LPA08: Infrastructure Delivery and Funding

Protection, improvement and provision

1. The Council will seek to ensure satisfactory provision of all forms of infrastructure that are required to serve the needs of the local community by:

- a) Protecting existing infrastructure from being lost where there is an identified need for it;
- b) Supporting the improvement of existing infrastructure where there is an identified need for such improvement;
- c) Safeguarding land for planned new or improved infrastructure where there is an identified need for it;
- d) Seeking developer contributions in accordance with paragraphs 2 to 7 of this Policy; and
- e) Requiring new community facilities and other social infrastructure to be located where they would be accessible by a choice of sustainable modes of transport and, where possible, clustered with other such facilities.

Developer Contributions

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:

- a) Section 106 planning obligations (or other legally binding agreements); and / or
- b) A tariff based system such as the Community Infrastructure Levy.

3. Where the suitability of development depends upon the provision of additional or improved infrastructure or service capacity, that development should be phased to coincide with the provision of such infrastructure or capacity.

4. In applying this Policy, regard will be had to relevant evidence including the latest version of the St. Helens Infrastructure Delivery Plan.

Economic Viability

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. **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.**

Hierarchy of Developer Contributions

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):

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;

*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, **depending on site surroundings and the level of existing infrastructure**, for example education needs or green space provision in areas of deficit; and*

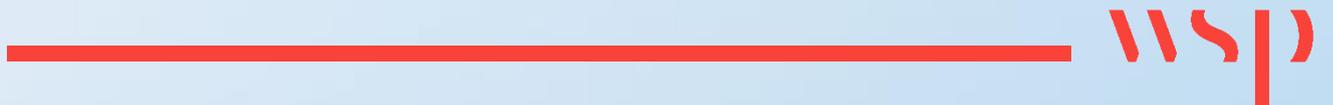
iii) contributions that would not fall into categories i) or ii) as set out above.

7. Decisions on planning applications may deviate from the above hierarchy where a specific need to do so has been identified. The Council will provide further guidance in a future Developer Contributions Supplementary Planning Document and in the Infrastructure Delivery Plan (including any future updates to this).

- 3.1.20. Despite the amendments made via MM013, the preparation of the plan has still not considered what sites could best deliver compensatory improvements to remaining green belt land and what sites will rely on developer contributions. Any developer contributions in this regard would fall within bullet iii) of LPA08 Section 3, ie towards the bottom of the developer contribution hierarchy and therefore more prone to being discounted for viability reasons. Developer contributions also hands the responsibility for the improvements to the LPA or to third parties.
- 3.1.21. There's no consideration of whether the plan will deliver improvements to offset the impact of removing land from the Green Belt. The plan's evidence base should have assessed the potential for different parcels / sites to facilitate compensatory improvements.
- 3.1.22. Safeguarded site 1HS could provide for compensatory improvements, both within St Helen on land directly to the north of 1HS and on land north beyond Down Brook within the adjacent borough of Wigan which could be secured by a legal obligation through an application for recreational use, which is not an inappropriate Green Belt use. This site is one of few where this can be guaranteed, by virtue of the landholder owning additional land in the vicinity of the site.
- 3.1.23. Providing compensatory improvements in both St Helens and Wigan would bring the close relationship of the two borough further together and allow for cross-boundary cooperation. The Masterplan as submitted under representations for Matter 3 Appendix E shows areas for improved environmental quality along Down Brook and improved and new PROWs that would improve public access to the Green Belt.
- 3.1.24. As such, we are wholly in line with the required needs of the plan, and we are therefore strong on the position that 1HS is well placed in delivering the necessary improvements as and when it is brought forward. The site should therefore be first choice when determining sites for allocation on a local plan review or update.

4

HOMES AND COMMUNITIES' POLICIES



4 HOMES AND COMMUNITIES' POLICIES

MM021

4.1.1. Under MM021, Policy LPC01 was revised to read as follows:

Policy LPC01: Housing Mix

1. New market and affordable housing ~~must~~ **should** be well designed to address local housing need and include a range of types, tenures and sizes of homes as informed by **up-to-date** relevant evidence including the Borough's latest Strategic Housing Market Assessment (SHMA).
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:
 - 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)a; and
 - 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). If the standards in Part M4(2) or Part M4(3) are amended or superseded by new standards, the Council will apply the relevant amending or superseding provisions in the same proportions as set out above.
- ~~3. At least 5% of new homes on greenfield sites that would deliver 25 or more dwellings should be bungalows.~~
4. Exceptions to paragraphs 1 to 3 of this Policy may be made where the applicant has submitted an independent viability assessment, prepared by a suitably qualified person, which clearly demonstrates that meeting the requirements would render the scheme un-viable. In such cases the Council will weigh any benefits of allowing the scheme in the form submitted against the extent of any failure to meet the requirements in full.
5. The Council will work with partners to facilitate the provision of **bungalows, and** specialist and supported housing for elderly and vulnerable people. Provision of sheltered housing, extra care housing, retirement accommodation and residential care homes should be easily accessible by walking and public transport to a suitable range of services to meet the needs of future occupiers.
6. The Council will support the delivery of suitably designed and located self-build and custom-build schemes in the Borough where they would conform with all relevant local and national policies.
7. Proposals for the change of use or sub-division of existing buildings to form flats or Houses in Multiple Occupation (HMOs) will be granted permission provided they would
 - a) retain a suitable mix of housing types to meet needs in the area;
 - b) avoid harming the character and / or appearance of the area;
 - c) avoid harming the amenities enjoyed by occupiers of neighbouring residential properties;
 - d) provide satisfactory levels of amenity for their future occupier(s) in terms of outlook and natural light; and
 - e) comply with parking standards referred to in Policy LPA07 and to be set out in the future review of the Council's Ensuring a Choice of Travel SPD

4.1.2. Murphy still have concerns with the revisions made to this policy. We are still of the view that the policy aims to "facilitate" the provision of homes for older people, without quantifying what provision should be aspired to or planned for. It will be difficult to effectively monitor the success or otherwise

of this policy. The monitoring framework has not been amended to include anything further in this respect and still only refers to the delivery of bungalows rather than specifically the needs of older people. This section of the monitoring framework needs to be updated to align with the modification to the policy;

MM029

4.1.3. Under MM029, Policy LPC10 was revised to read as follows

Policy LPC10: Trees and Woodland

- 1. The Council will, working where necessary with the Mersey Forest and other partner organisations, seek to increase the extent of tree cover across the Borough and to protect and enhance the multi-purpose value of trees, woodlands and hedgerows.*
- 2. New development, as appropriate having regard to its scale and nature, will be required to include the planting of new trees, woodlands, hedgerows and / or financial contributions towards off-site provision. Arrangements should be made for any tree(s) or hedgerow(s) that are planted to be replaced in the event of failure or damage within a prescribed period.*
- 3. Proposals for new development will only be permitted if they would conserve, enhance and / or manage existing trees, woodlands and hedgerows as appropriate, for example by being laid out to provide adequate spacing between existing trees and buildings and including long term management proposals.*
- 4. Any development proposal that would affect a site containing tree(s) or woodland must be accompanied by a tree survey and an arboricultural constraints/implications report, produced to the current British Standard, to enable the effect of the development on the tree(s) to be properly assessed and appropriate tree protection measures to be identified. Any approved tree protection measures must then be maintained throughout the period of any demolition and / or construction works.*
- 5. Development resulting in the loss or deterioration of any area of ancient woodland or of any ancient or veteran tree will be refused unless there are wholly exceptional circumstances in which the need for, and benefits of, the development would clearly outweigh any resultant loss and a suitable mitigation strategy exists.*
- 6. Development proposals ~~should~~ **must** be designed and laid out in a manner that would not **retain** ~~damage or destroy~~ any tree subject to a Tree Preservation Order, any other protected tree, any other tree of value including any veteran tree, trees of value as a group, any tree of substantive heritage value or any length of hedgerow, unless it can be justified for good arboricultural reasons or there is a clearly demonstrated public benefit that would outweigh the value of the tree(s) and or hedgerow(s). Where any tree is justifiably lost its replacement will normally be required on at least a 2 for 1 ratio, with impacts on woodlands mitigated in line with Policy LPC06. Any tree(s) planted must be replaced in the event of failure or damage during a prescribed period.*
- 7. Proposals that would enhance the value and / or contribution of woodland in respect of: recreational or educational needs; health; the landscape or townscape; heritage; biodiversity; tourism; and / or economic regeneration will be supported.*

4.1.4. MM029 seeks to remove reference to requiring developments to retain all specified trees on site to provide greater flexibility. While we had no specific comments on this in our previous reps, we support flexibility in the plan and NPPF paragraph 131 does not stipulate all trees must be retained.

4.1.5. That being said, 1HS can support this policy with various on- and off-site enhancements to existing trees and woodland which is wholly in line the Council's declared Climate Change Emergency.

MM032

4.1.6. Under MM032, Policy LPA13 was revised to read as follows

Policy LPC13: Renewable and Low Carbon Energy Development

1. Proposals for development that would produce and / or distribute decentralised, low carbon or renewable energy will be permitted provided that they would:

- *a) avoid causing unacceptable harm to: the appearance or character of the surrounding landscape; natural resources; biodiversity; geodiversity; water or air quality; aviation or road safety; public amenity; or the living conditions of occupiers of any nearby dwellings;*
- *b) comply with relevant national and local policies concerning new development in the Green Belt; and*
- *c) comply with Policy LPC11 'Historic Environment'. When proposals are being assessed against these criteria, regard will be had to any environmental, social and / or economic benefits that the proposals would provide, and their number, scale, siting, design and any cumulative impact in conjunction with other proposals.*

2. Proposals that would otherwise result in an unacceptable impact under paragraph 1 of this Policy must be mitigated by appropriate measures agreed by the Council. All proposals must be accompanied by information that shows how the local environment would be protected, and how the site would be restored when energy production or distribution ends.

3. Relevant evidence that will be taken into account in assessing the suitability of any proposals under paragraph 1 of this Policy will include (alongside any other relevant material): the Liverpool City Region Renewable Energy Capacity Study 2010; any document(s) that may supersede this; the Merseyside Historic Landscape Characterisation Study; the evidence base for the Merseyside and Halton Joint Waste Local Plan; and the St.Helens Landscape Character Assessment.

*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 **equivalent to CSH level 4, ie. 19% carbon reduction against Part L 2013 unless proven unviable**. To this end they should use energy efficiently and where feasible incorporate decentralised energy systems that would use or generate renewable or other forms of low carbon energy. Large scale schemes that would generate a significant source or demand for heat should also be supported by evidence considering the feasibility of serving the development by means of a district heating scheme. Proposals for new development within a strategic employment site or a strategic housing site (as defined in Policies LPA04.1 and LPA05.1) must, unless this is shown not to be practicable or viable, ensure that at least 10% of their energy needs can be met from renewable and / or other low carbon energy source(s).*

5. Development resulting in the loss or deterioration of any area of ancient woodland or of any ancient or veteran tree will be refused unless there are wholly exceptional circumstances in which the need for, and benefits of, the development would clearly outweigh any resultant loss and a suitable mitigation strategy exists.

*6. Development proposals ~~must~~ **should** be designed and laid out in a manner that would **retain** ~~not~~ ~~damage or destroy~~ any tree subject to a Tree Preservation Order, any other protected tree, any other tree of value including any veteran tree, trees of value as a group, any tree of substantive heritage value or any length of hedgerow, unless it can be justified for good arboricultural reasons or there is a clearly demonstrated public benefit that would outweigh the value of the tree(s) and or hedgerow(s). Where any tree is justifiably lost its replacement will normally be required on at least a 2 for 1 ratio, with impacts on woodlands mitigated in line with Policy LPC06. Any tree(s) planted must be replaced in the event of failure or damage during a prescribed period.*

7. Proposals that would enhance the value and / or contribution of woodland in respect of: recreational or educational needs; health; the landscape or townscape; heritage; biodiversity; tourism; and / or economic regeneration will be supported.

- 4.1.7. PPG (Paragraph: 012 Reference ID: 6-012-20190315) confirms that “reasonable requirements” on this matter can be allowed for in development plans; this revised figure seems does not seem unreasonable and provides a clear direction of travel towards addressing the climate emergency.
- 4.1.8. Murphy Group includes companies specialising in, inter alia: utilities management and ownership; an independent distribution network operator; engineering excellence in power and water; electrical engineering; building construction and engineering; house design and construction. As such, they would be well placed in providing the necessary infrastructure to hit this ambitious target. We support this modification.

5

SITE PROFILES



5 SITE PROFILES

- 5.1.1. In this section, the following Main Modification will be reviewed MM045 – Appendix 7 Site profile Safeguarded employment and housing sites

MM045

- 5.1.2. As revised the site profile for 1HS reads as follows:

1HS Requirements -

Safe highway access should be provided from Leyland Green Road and Billinge Road (with any necessary off-site improvements).

Pedestrian and cycle access should be provided through the site to the wider area.

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.

Provision of effective flood management measures to reduce the risk of flooding.

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.

The ground conditions are unknown, although historic mineshafts are recorded within the sub-parcel, so further investigation is required.

- 5.1.3. We are pleased to note the proposed removal of several criteria under the 'Site Profiles' within Annex 7. We do not disagree with the need to set out site specific requirements, but any requirements which are generic and cross reference other policies of the Plan represent unnecessary duplication which should correctly be excluded from the Site Profiles.
- 5.1.4. As regards the remaining unchanged site-specific requirements, Murphy is well placed to carry out the specified supporting assessments and necessary infrastructure as sole landowner and infrastructure provider to ensure the site would be delivered in a timely fashion when required.



8 First Street
Manchester
M15 4RP

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PUBLIC



**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: Mr	Title: Mr
First Name: Jonathan	First name: Matt
Last Name: Hollingshead	Last Name: Hard
Organisation/company: Murphy Group	Organisation/company: WSP
Address: Hiview House, Highgate Road, London	Address: 8 First Street, Manchester
Postcode: NW5 1TN	Postcode: M15 4RP
Tel No: c/o Agent	Tel No:
Mobile No: c/o Agent	Mobile No: [REDACTED]
Email: c/o Agent	Email: [REDACTED]

Signature: [REDACTED]	Date: 13.01.22
------------------------------	-----------------------

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

- MM002 – Local Plan Review
- MM006 – LPA02
- MM009 – LPA05
- MM011 – LPA06
- MM013 – LPA08
- MM021 – LPC01
- MM022 – LPC02
- MM029 – LPC10
- MM032 – LPC13
- MM036 – LPD03
- MM045 – Site Profiles Allocated Employment and Housing Sites

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.

Please see attached representation

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.**

RO1955

From: Dan Ingram [REDACTED]
Sent: 11 January 2022 14:36
To: planningpolicy@sthelens.gov.uk
Cc: [REDACTED]
Subject: St Helens Borough Local Plan 2020-2035 (Main Modifications) - Representations on Behalf of Jones Homes (North West) Ltd
Attachments: 27131.A3.DI.VR - St Helens Main Mods Reps - On Behalf of Jones Homes (v3) - 220111.pdf

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To whom it may concern,

On behalf of our Client, Jones Homes (North West) Ltd (Representor ID: RO1955), 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



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, 18/22 Bridge Street, Spinningfields

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St Helens Borough Local Plan 2020-2035 Main Modifications

Representations on Behalf of Jones Homes (North West) Ltd
Representor ID: RO1955

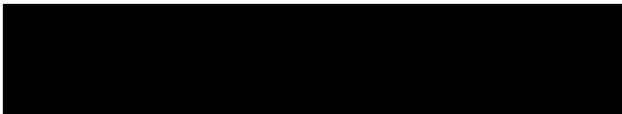
January 2022

St Helens Borough Local Plan 2020-2035
Main Modifications

Representations on Behalf of Jones Homes (North West) Ltd

Project Ref:	27131/A3/DI/VR	27131/A3/DI/VR	27131/A3/DI/VR
Status:	Draft	Draft	Final
Issue/Rev:	01	02	03
Date:	10 December 2021	4 January 2022	11 January 2022
Prepared by:	DI	DI	DI
Checked by:	VR	VR	VR/Client
Authorised by:			

Barton Willmore LLP
Tower 12
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M3 3BZ



Ref: 27131/A3/DI/VR
Date: January 2022

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1.0 INTRODUCTION

- 1.1 On behalf of our Client, Jones Homes (North West) Ltd, 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 has land interests at Newlands Grange, Newton-le-Willows, part of which is a proposed safeguarded housing allocation within the emerging Local Plan, assigned site reference 4HS.
- 1.3 Representations have been made throughout the preparation of the emerging Local Plan in support of 4HS and Barton Willmore appeared at the Hearing Sessions informing the Examination.
- 1.4 In September 2021, the Inspectors undertaking the Examination issued a Post-Hearing Advice Note detailing matters that needed to be resolved for the emerging Local Plan to be considered sound. The elements of relevance to our Client's interests are listed in Section 2 of these representations.
- 1.5 In Section 3, 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 not considered to do so, alternatives are suggested.
- 1.6 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.

2.0 RELEVANT PARTS OF THE POST-HEARING ADVICE NOTE

2.1 The Post-Hearing Advice Note sets out the Inspectors' views on changes necessary in order to ensure that the emerging Local Plan is sound. These are discussed on a policy-by-policy basis.

2.2 The following section of these representations summarise the key points made in relation to policies relevant to the Client's interests at 4HS., with our Client's comments on the modifications proposed set out within Section 3 of these Representations.

Policy – LPA02 – Compensatory Improvements to Green Belt Land

2.3 The Inspectors state that an amendment is required in order to make the requirement for compensatory improvements to be more explicit, with reference to policies which already seek to address this.

Policy – LPA05 – Meeting St Helens Borough's Housing Needs

2.4 The Inspectors seek modifications of associated tables 4.5, 4.6, and 4.7 as well as Figure 4.3 to reflect the most up to date housing delivery trajectory available.

2.5 This position should be reflective of the Council's letter to the Inspectors on housing (SHBC030), the Council's Housing Position Statement (SHBC031) and the Inspectors' preliminary findings set out in a letter dated 30 July 2021.

Policy – LPC01 – Bungalows

2.6 The Inspectors do not consider that adequate justification exists for a blanket requirement for 5% of new homes to be bungalows on greenfield sites. As such, section 3 of this policy is recommended for removal.

Policy – LPC13 – Renewable and Low Carbon Development

2.7 Recommends a change of policy wording to reflect what is stated in the Council's Matter 7 Hearing Statement in terms of section 4 of the policy.

3.0 RESPONSE TO THE PROPOSED MAIN MODIFICATIONS

3.1 The following comments are ordered to correspond to the referencing system within the Main Modification Schedule.

3.2 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

3.3 It is agreed that the Plan Period should be amended to reflect a 15-year period from its likely adoption.

3.4 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

3.5 In a similar vein, 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.

3.6 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 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.

3.7 Notwithstanding the above however, and in light of our Client's concerns surrounding the claimed level of 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 is clearly marginal at best. Whilst the Plan may be sound currently, as an appropriate supply on adoption is claimed by the Council, it is marginal to the extent that a minor slippage, or lack of a suitable buffer, could result in the lack of supply, early in the Plan period, and so an earlier review than currently proposed would be required in order to identify additional sites for allocation. 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

3.8 MM005 seeks the removal of Policy LPA01 – the Presumption in Favour of Sustainable Development in order to avoid duplication with the NPPF.

3.9 Our Client agrees with this approach which chimes with comments made within their earlier representations.

MM006

3.10 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.

3.11 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 sustainable.

MM009

- 3.12 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. Our Client considers that this uplift is correct when taking account of the annual delivery rate that the Council seeks to adopt (i.e. 486 dpa).
- 3.13 Notwithstanding this however, our Client is disappointed that the Council has not sought to increase the overall requirement, and reiterates their previous comments that whilst the proposed requirement of 486 dpa represents a modest uplift on the OAN, our Client does not consider that the uplift truly aligns with the local housing need given 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 an 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.
- 3.14 Furthermore, 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.
- 3.15 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.
- 3.16 Turning to matters of housing land supply, our Client notes that the Council has claimed 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).

- 3.17 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, 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.
- 3.18 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 and, therefore, meet housing needs.
- 3.19 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. To that end, there are no constraints to site 4HS coming forward and delivering much-needed housing in the short-term. As per our previously submitted evidence, there are no constraints in this respect.

MM011

- 3.20 In a similar vein to the above, whilst it is welcomed that the Council has increased the quantum of dwellings on land safeguarded by future development, by virtue of extending the boundaries to 4HS, 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 whilst the Council have demonstrated that exceptional circumstances exist to justify the

review of the Green Belt, the Plan does not go far enough in meeting the needs beyond the Plan period, meaning that a further view is likely to be required prior to the commencement of the next planning period, contrary to the provisions of paragraph 143 c) and e) of the NPPF.

- 3.21 Additional safeguarded sites would also assist to secure the Council's future housing supply. As discussed previously, the current housing supply position is marginal, and could, should there be a slump in delivery, result in safeguarded sites being delivered early in order to address any such slump. 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.
- 3.22 With specific reference to our Client's land interest at 4HS, our Client welcomes the additional justification for its release from the Green Belt, and the recognition of it being a sustainable location, as well as the aforementioned extension to the site boundary, and increased capacity that this creates. To confirm, our Client supports the amendments to the site boundary in this regard.
- 3.23 Notwithstanding this however, our Client is disappointed to see that the Council still consider that there are technical highway matters to address, and considers that the highways technical note, which accompanied previous representations, satisfactorily demonstrated that these matters could be addressed. This being the case, our Client would urge the Council to review this position and remove this wording from the text accordingly because it is not supported by any evidence. The removal of this matter, which is seen by the Council as justification for safeguarding the site for future development, rather than allocating it for development as part of this Plan, would remove any barriers to the Site's allocation as part of this emerging Local Plan, and our Client would reiterate their ability to deliver homes on the Site within the early years of the Plan, should the Council be minded to support its allocation.

MM022

- 3.24 The correction of the affordable housing threshold to 10 or more homes is welcomed, as is the reference to First Homes.

ANNEX 1

- 3.25 With regard to proposed housing allocation 7HA (Land West of the A49 and East of the West Coast Mainline), the only proposed housing allocation for Newton-le-Willows, our Client welcomes the amendments that have been made to the boundary of the proposed allocation, having had regard to the approved application for the conversion of the building into a school, as was previously raised within our Client's Hearing Statement correspondence. Our Client notes that the indicative capacity of the Site is based upon a density of 35dph. When comparing this with other sites in similar areas and with similar characteristics, our Client considers this density to be too high, and that a density of 30dph would be more realistic and consistent with other proposed allocations across the Borough. As such, the proposed yield of the site should be reduced further, essentially meaning that Newton-le-Willows will deliver less housing than the Plan currently envisages.
- 3.26 Accordingly, and coupled with our Client's previous concerns around the significant level of job growth that the Plan envisages for the settlement (without appropriate housing development to counter), our Client maintains their view that additional housing sites should be considered for allocation within Newton-le-Willows. Our Client also considers that site 4HS is well placed to address this, and deliver homes within the early years of the Plan (noting previous concerns around the Council's housing land supply), and so could be upgraded to a housing allocation for delivery within this Plan period.
- 3.27 Our Client would urge the Council to undertake this process at this stage, rather than needing to take action via an early review of the Plan to identify additional sites which, whilst potentially addressing the problem overall in the medium to long-term, would not stem a shortage within the early years of the Plan.

ANNEX 2

- 3.28 The revisions, involving the extension of the site area and increased capacity of 4HS, within appendix 2 are welcomed by our Client, as set out within the comments on MM011 above.
- 3.29 Whilst not seeking to repeat those comments here, our Client would reiterate that the highways matters which appear to justify the sites safeguarding (rather than full allocation), have been addressed as per the highways evidence submitted to the Council previously. They therefore remain of the view that the site should be allocated for

housing to be delivered as part of this Plan, as opposed to being safeguarded for development beyond the Plan period. Our Client would therefore urge the council to reconsider its position on this and to upgrade the Site accordingly.

4.0 SUMMARY AND CONCLUSIONS

- 4.1 The proposed Main Modifications are supported in general, and the progress made on the new Local Plan to date is welcomed by our Client.
- 4.2 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 housing land supply, and provide additional flexibility into the Plan in the event that proposed allocations do not deliver as envisaged.
- 4.3 Furthermore, our Client would reiterate their previous comments that there is no evidence of any technical highways constraint that would preclude the development of their land interest and as such there are no barriers to the allocation of the Site within the emerging Local Plan.
- 4.4 Should you have any questions relating to the points raised in these representations please do contact Barton Willmore LLP.

RO1959

From: Andrew Bickerdike <[REDACTED]>
Sent: 13 January 2022 14:13
To: planningpolicy@sthelens.gov.uk
Subject: St Helens Local Plan - MM consultation
Attachments: Representations to SHLP Main Modifications Peel L&P 13 January 2022.pdf

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Please find attached representations to the Local Plan Main Modifications on behalf of my client, Peel L&P (Participant ID R01959).

Please kindly confirm receipt.

Kind regards

Andrew Bickerdike
Director

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13 January 2022

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

Dear Sir or Madam

**ST HELENS LOCAL PLAN PROPOSED MAIN MODIFICATIONS NOVEMBER 2021
PEEM2091**

On behalf of my client Peel Land & Property Ltd (“Peel”) (Examination Participant ID RO1959) I am pleased to provide comments on the St Helens Borough Local Plan 2020 – 2035 Submission Draft Schedule of Main Modifications (November 2021) (‘the Main Modifications’).

My client has engaged extensively in the Local Plan process to date, including participation in Hearing sessions during 2021 and submission of Hearing Statements. Submissions have been made in respect of land interests around Junction 23 of the M6, comprising:

- The majority of Site 2ES (Land North East of Junction 23 M6, (South of Haydock racecourse), Haydock) proposed to be released from the Green Belt and allocated as safeguarded land to meet employment development needs beyond the plan period;
- Land to the south west of Junction 23 of the M6 known as ‘Haydock Green’ promoted by Peel for employment or residential development and proposed to be retained in the Green Belt by the Council;
- Land to the south east of Junction 23 of the M6 promoted by Peel for employment development during the plan period or as safeguarded to meet development needs beyond and proposed to be retained in the Green Belt by the Council.

This representation considers the following:

- The justification for the allocation of Site 2ES as safeguarded land in the context of the Secretary of State’s decision in relation to appeal reference APP/H4315/W/20/32568741.
- Modifications to Policies LPA 02 and LPA 06

The Main Modifications do not change the Local Plan’s proposal to remove land to the north east of Junction 23 of the M6 (Site 2ES) from the Green Belt and designate this as safeguarded land to meet the need for employment development beyond the plan period. It is noted that the Examination Inspectors did not make any comments

1 New York Street
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M1 4HD

regarding this proposal in their letter of 1st September 2021 which outlines the main changes needed for the Local Plan to be found sound.

Extent of safeguarded land for employment development

The need for safeguarded land to meet development needs beyond the plan period was considered through the Hearing sessions, as was the approach to selecting sites for this purpose and the suitability of the proposed designated sites themselves.

There have been no changes in circumstances to indicate that the need for safeguarded land and the extent of this has reduced since the Hearing sessions in 2021. The market demand for logistics development, which accounts for the bulk of employment allocations proposed through the Local Plan, remains very strong and is increasing. Research by Savills indicates that the take up of logistics space in the North West region increased by 36% during 2021 compared to 2020 with supply falling by the same amount¹. This illustrates the underlying and continued strength of the market, and paucity of supply, which the Local Plan is seeking to provide a positive response to in order to ensure demand is met and captured for the benefit of the Borough.

Demand and take up form the basis for the calculation of the plan period employment development needs as well as the post-plan period need. Market evidence published since the Hearings strongly reinforces the need for the Local Plan to plan for the delivery of high levels of employment development and in turn to ensure it releases sufficient land from the Green Belt to ensure needs can be met beyond the plan period without further Green Belt releases, as directed by paragraph 140 of the NPPF. It is noted that no non-Green Belt sites have been made available for employment development since the Hearing sessions.

The justification for Site 2ES

The Council has however not updated its evidence base relating to the selection of employment sites for release from the Green Belt to meet development needs during and beyond the plan period. This continues to rely on the Green Belt Review², supplemented by oral evidence presented at the Hearing sessions.

The Green Belt Review provides a comprehensive appraisal of candidate sites for allocation and / or safeguarding, including a consideration of their Green Belt context and other attributes, including locational characteristics and deliverability for development. Through this process, Site 2ES was rightly identified as suitable for release from the Green Belt to meet development needs (beyond the plan period) and in particular large scale logistics development.

Through its Hearing Statements and oral evidence at the Examination, the Council confirmed its position that the proposed designation of the site as safeguarded land was sound, and implicitly therefore that exceptional circumstances exist to justify the release of the site from the Green Belt – to meet needs in the longer term. This is notwithstanding that the Council resolved that it would have refused the planning application for the specific development proposal covering part of the site which, at the time of the Examination, was awaiting decision from the Secretary of State following a Public Inquiry which took place in February 2021 (application reference P/2017/0254/OUP).

¹ [Savills UK | The logistics market in the North West](#)

² Examination Documents SD020 and SD021

The relevance of the appeal decision

The Secretary of State dismissed the aforementioned appeal on 11th November 2021. The decision letter and Inspector's Report (IR) has been placed into the Examination Library³. The appeal was dismissed on the basis that the Very Special Circumstances (VSC) test in the National Planning Policy Framework (NPPF) had not been satisfied as the development's Green Belt harm and other harm was not clearly outweighed by other considerations⁴, at this point in time and in respect of the specific development proposed.

The appeal decision does not change the soundness of Policy 2ES and the justification for the release of this site from the Green Belt. The following points are of material relevance in considering this matter:

- The appeal decision self-evidently does not appraise the need for development across the plan period or beyond (aside from making reference to the Local Plan proposals as a matter of record). It does not therefore have any influence on the determination of how much land needs to be released from the Green Belt through the Local Plan. It does acknowledge the fast evolving logistics market and the need for the planning system to respond positively to the unmet need of suitable accommodation in the Borough and market area and the significant benefits to the economy and employment generation which arise from the Borough meeting this need;
- The appeal decision demonstrates that Site 2ES in principle represents a deliverable site for strategic scale logistics / industrial development and that its development would give rise to, at most, negligible or very low levels of adverse impact (within acceptable parameters applying relevant standards and policy) relating to:
 - Air quality⁵
 - Biodiversity harm and net gain⁶
 - Noise impacts and impacts on residential amenity⁷
 - Heritage⁸
 - Loss of Best and Most Versatile Agricultural Land⁹
- The appeal decision demonstrates that the site is sustainably located and accessible to local communities, including to residents in deprived areas which can benefit most from access to employment with resultant benefits to the Borough arising from this¹⁰;
- The appeal decision demonstrates that, depending on the form of development proposed, the site is capable of delivering substantial highway benefits, including through accommodating a diversion of the northern arm of the A49 and so significantly improving the operation of Junction 23 of the M6 against the baseline¹¹;
- The appeal decision demonstrates that the development of the site is able to be compatible with the Council's future aspirations for an improvement to Junction 23 of the M6 and, depending on the form of

³ Examination Document SHBC039

⁴ NPPF paragraph 144

⁵ IR paragraph 8.41

⁶ IR paragraph 8.38

⁷ IR paragraph 8.42

⁸ IR paragraph 8.45

⁹ IR paragraph 8.44

¹⁰ IR paragraph 8.31

¹¹ IR paragraph 8.78

development proposed, can make a positive contribution to this through delivering the diversion of the northern arm of the A49 as needed for any such improvement scheme to be brought forward¹²;

- The appeal decision demonstrates that the site is exceptionally located in relation to the strategic road network and 'optimally located' for a logistics development¹³
- The appeal decision demonstrates that the site has the physical attributes to meet the need for strategic scale distribution and industrial uses¹⁴

The Secretary of State's decision nonetheless identifies that harm to the Green Belt (given its current policy designation) resulting from the development would be significant, to which substantial weight is applied. It also identifies that the development would result in adverse harm to the landscape by virtue of the scheme's visual prominence¹⁵. These conclusions are specific to the scheme proposed which intended the comprehensive development of 42 ha of the proposed allocated area for very large scale logistics uses.

The IR concluded that the case is 'finely balanced' and that harm to the Green Belt and other harm may be outweighed by other considerations. However reflective of the tilted balance inherent within paragraph 144 of the NPPF, VSCs were concluded not to exist on account of such harm not being 'clearly' outweighed by the other considerations identified and to which weight is given.¹⁶

The Section 78 appeal was concerned with a specific set of circumstances at a particular point in time. These differ from those which present themselves in respect of the Local Plan which is looking at a much longer time horizon, the question of the site's safeguarded proposal and the application of the 'exceptional circumstances' test. Whilst dismissed, the appeal decision reinforces that the allocation of Site 2ES as safeguarded land is sound. In addition to the seven points identifies above, two others areas are highlighted below.

The VSC and Exceptional tests

The appeal is concerned with the VSC test and whether this exists in the circumstances of the case. The case, in respect of the VSC test, was found to be finely balanced as noted.

Case law has established that the VSC test relating to planning applications for development in the Green Belt is 'stricter' than the exceptional test which is to be satisfied in relation to the release for land from the Green Belt. The Local Plan, and the soundness of 2ES, is concerned with the latter. The exceptional circumstances test is, by implication, 'less demanding'¹⁷ and sets a lower bar.

Absence of alternative sites to meet need

Whilst the appeal Inspector gave weight to the immediate development need to which the proposal would positively respond¹⁸, weight is also given to the 'likelihood' of there being a sufficient supply of employment land looking further ahead given the progression of the Local Plan and its proposal to provide employment land to meet the needs for the Borough to 2035¹⁹.

¹² IR paragraph 8.34

¹³ IR paragraph 8.26

¹⁴ IR paragraph 8.81

¹⁵ IR paragraph 8.23

¹⁶ IR paragraph 8.87

¹⁷ Luton Borough Council, R (on the application of) v Central Bedfordshire Council & Ors [2014] EWHC 4325 (Admin) (19 December 2014) (Paragraphs 54 and 56)

¹⁸ IR paragraph 8.85

¹⁹ IR paragraph 8.82

To the extent that this results in reduced weight in favour of the appeal proposal, it is evidently the case that the same cannot be said in considering the site's release from the Green Belt through the Local Plan. On the contrary, the Council's evidence base has proven that there are no alternative sites available to meet the full need for safeguarded land and that without this site, the need for safeguarded land to deal with longer term needs will not be met.

The site's contribution to meeting this need must be given significant weight in applying the exceptional circumstances test. As noted, this contrasts with the appeal where weight in favour of the development arising from it meeting development needs beyond the very short term was reduced on account of the pipeline supply of sites emerging through the Local Plan.

Taking these points together, the appeal decision strongly reinforces the market and locational attributes of the site to meet the need for strategic scale logistics and industrial development, demonstrates that the site can deliver a number of benefits arising from its location (including to the highway network, future improvement to Junction 23 and relative proximity to deprived areas of the Borough) and will not give rise to significant adverse impacts in respect of key technical and environmental considerations including air quality, noise, heritage and biodiversity. The site has therefore been proven to be technically deliverable as a development site and to realise a number of benefits. This, in combination with the appeal Inspector's conclusion that, in the context of the appeal scheme, harm to the Green Belt and other harm may reasonably be deemed to be outweighed by other considerations, further supports the conclusion that the site's release from the Green Belt to meet development needs is sound applying the exceptional circumstances test.

Paragraph 4.24.9

Additional wording has been added at paragraph 4.24.9 of the Local Plan which provides reasoned justification in relation to the designation of Site 2ES.

The updated reasoned justification pre-judges the potential areas of harm arising from the development of the site. Whilst the appeal scheme was found to result in landscape harm, this finding was specific to that scheme. It would be inappropriate to conclude, as a general statement, that 'landscape impacts' will arise in respect of the development of this site any more so than any other site.

Harm will be specific to whatever scheme is ultimately proposed for this site which is not yet known. Indeed, landscape harm will inevitably result from the development of other open Green Belt sites, including Site 1ES, and landscape harm is not a unique constraint to this specific site. The extent of harm will depend on the site context and the scheme proposed.

The Green Belt is a spatial policy designation. Following the site's release from the Green Belt it will no longer form part of the functional Green Belt in this location. In this context, its development will obviously not harm the Green Belt, contrary to the suggestion in the updated reasoned justification.

Reflecting the above points, paragraph 4.24.9 should be amended as follows:

*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. **The harm to the Green Belt arising from the site's allocation has been taken into account in considering the case for safeguarding the site as proposed.** 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 **the development of the site may result in** ~~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

Policy LPA06

Section 2 of Policy LPA 06 has been amended to read as follows:

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 this Plan period. Such Safeguarded Land is not allocated for development in this Plan period. The future uses that the sites are safeguarded for are listed in Tables 4.7 and 4.8.

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 update (full or partial) that proposes such development based on the evidence showing a need for this. Otherwise, proposals for housing and employment development of safeguarded sites in this Plan period will be refused.

In the spirit of paragraph 140 of the NPPF, Policy LPA06 seeks to protect the proposed safeguarded sites from development during the plan period to provide a supply of future potential development sites to meet needs beyond.

By contrast, section 2 of Policy LPA02 deals with land to be retained in the Green Belt. It confirms that:

Inappropriate development in the Green Belt shall not be approved except in very special circumstances.

This reflects paragraph 144 of the NPPF.

A general presumption against safeguarded land being developed during the plan period is appropriate. However, when benchmarked against the VSC test which applies to the Green Belt, a policy which is explicitly not permissive of safeguarded land coming forward before the end of the plan period in any circumstances, such that development would automatically be contrary to the development plan irrespective of the case in favour, is unsound. This would give safeguarded land a higher level of policy protection than retained Green Belt.

To address this point of soundness, section 2 of Policy LPA 06 should be amended as follows:

*2. **A presumption against** Planning permission for the development of the safeguarded sites for the purposes identified in Tables 4.7 and 4.8 **applies until such time that** ~~will only be granted following a future Local Plan review update (full or partial)~~ **the site is that allocated for** ~~proposes~~ such development following a future Local Plan review update (full or partial) based on the evidence showing a need for this **or it can be demonstrated that exceptional reasons justify development coming forward before the end of the plan period.** Otherwise, proposals for housing and employment development of safeguarded sites in this Plan period will be refused.*

I trust these comments will be taken into consideration as part of the ongoing examination of the Local Plan.

Yours faithfully



Andrew Bickerdike
Director



RO1960

Local Plan Main Modifications Consultation Green category

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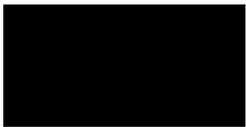
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Stephen
Stephen Harris BSc (Hons) MRTPI
Managing Director



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Title:	Title: Mr
First Name:	First name: Stephen
Last Name:	Last Name: Harris
Organisation/company: Wainhomes North West Ltd	Organisation/company: Emery Planning
Address:	Address: 1-4 South Park Court Hobson Street, Macclesfield
Postcode:	Postcode: SK11 8BS
Tel No:	Tel No: [REDACTED]
Mobile No:	Mobile No:
Email:	Email: [REDACTED]

Signature:

[REDACTED]

Date:

13 January 2022

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4. Which Main Modification does this representation relate to?

Main Modification Reference Number **MM09**

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.

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Last Name:	Last Name: Harris
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Address:	Address: 1-4 South Park Court Hobson Street, Macclesfield
Postcode:	Postcode: SK11 8BS
Tel No:	Tel No: [REDACTED]
Mobile No:	Mobile No:
Email:	Email: [REDACTED]

Signature: [REDACTED]

Date:

13 January 2022

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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.

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Postcode:	Postcode: SK11 8BS
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Mobile No:	Mobile No:
Email:	Email: [REDACTED]

Signature:

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Main Modification Reference Number **MM045**

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.

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St Helens Local Plan Proposed Modifications

Representations
for Wainhomes (North West) Ltd

Project : 17-005
Site : St Helens Local Plan
Proposed Modifications
Client : Wainhomes (North West)
Ltd
Date : January 2022

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1. Introduction

1.1 Emery Planning is instructed by Wainhomes (North West) Ltd to prepare representations to the Proposed Modifications to the St Helens Local Plan. We attended the Local Plan Examination and this Statement sets out our response to the Proposed Modifications.

2. MM09

2.1 Matter 5 of the Examination assessed the housing land supply. After hearing the evidence, the Inspectors set out their conclusions on the delivery of some of the contested sites in their Post-Hearing Note (INSP014). We note that this is not the forum to reopen that debate, therefore our objection to MM09 is that it is intended to move the Plan to adoption with a supply of 5.1 years. Our concern with proceeding to adoption on such a precarious housing supply is that there is a strong likelihood of that supply being challenged and paragraph 11 being engaged in the short term rendering the policies which are most important for determining the application out-of-date.

2.2 The table in Annex 4 states that the housing requirement for the next 5 years is 2,342 dwellings. The supply is 2,388 dwellings, which is an excess of 46 dwellings. Whilst we appreciate some sites could deliver earlier, the opposite (i.e., sites not delivering as expected) must be the more realistic scenario given the implications for the Plan in paragraph 11 and 74 of the Framework. With an excess of 46 dwellings to prevent the LPA from failing to demonstrate a 5 year supply, it only takes one site to not deliver and engage the tilted planning balance.

2.3 Our view is that the housing supply needs to be increased and additional sites allocated. We provide one example below in our response to MM011 which is Site 5HS of a site that is deliverable and should be allocated.

3. MM011

3.1 Our specific interest under this MM is the land off Winwick Road, Newton-le-Willows (5HS). In relation to our interest, MM011 states:

“5HS – Land West of Winwick Road and South of Wayfarers Drive, Newton-le-Willows 4.24.15 The Green Belt Review (2018) found. 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."

- 3.2 Our case to the Submission Plan and the Examination was that we supported the site's release from the Green Belt given the exceptional circumstances to release of Green Belt land in order to meet unmet and future housing needs of the Borough. Our concern was how the evidence base had been considered and articulated in coming to the decisions on which sites to allocate. Notwithstanding that, due to the particular circumstances of Site 5HS we advanced a case that the site should be allocated or in the alternative have no safeguarded or Green Belt designation i.e. white land given it is surrounded by built or committed developments.
- 3.3 Section 4 of our representations at the Submission stage sets out why the northern half of the site does not serve any meaningful function as safeguarded land given that it would be surrounded by the urban area on all sides with a generous gap to the Green Belt boundaries. MM011 recognises that *"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"*.
- 3.4 The reason given in MM011 for safeguarding is not one of longer housing need but that *"the site is affected by a number of constraints, which will require further investigation before development can be brought forward"*. As we advised at the Examination (Matter 4 Session 6), since the Submission draft our client prepared further environmental and technical work to demonstrate deliverability of the whole site and a layout was prepared demonstrating that the site can deliver some 280 homes. The documentation has also been submitted as a pre-application enquiry (PRE/2021/0148/PREC) to the LPA. Given the precarious 5.1 year housing land supply, we are of the strong opinion that further sites should be allocated as if the Plan is adopted in its current form there is a strong likelihood of the housing land supply falling below 5 years in the next 12 to 24 months, which then engages paragraph 11 of the Framework. 5HS is a site that can provide the LPA with a greater 5 year supply.

4. MM045

4.1 MM045 makes proposed changes to the site profiles are set out in Annex 2. These changes remove requirements which are “*generic and apply to each site because of other policies of the Plan are removed from the site profiles, because the requirements should be site specific*”.

4.2 The Site Profile for 5HS states:

- Safe highway access should be provided from the A49 (Mill Lane), (with any necessary off-site improvements).
- Appropriate noise attenuation measures, including buffers, should be incorporated to protect new residents from unacceptable noise levels from the adjoining railway line.
- Provision of effective flood management measures to reduce the risk of flooding.
- Appropriate buffers should be provided from the proposed site and adjoining LWS.
- 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.

4.3 We agree with the changes to the site profile and the above criteria are all matters that have been considered as part of our pre-application submission (PRE/2021/0148/PREC).

RO1961

From: Michael Wellock [REDACTED]
Sent: 12 January 2022 11:47
To: planningpolicy@sthelens.gov.uk <planningpolicy@sthelens.gov.uk>
Cc: David Wainwright [REDACTED]
Subject: St Helens 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 Sir/Madam,

Please find attached Main Modification response prepared on behalf of St Helens Green Belt Association.

Please could you acknowledge the safe receipt of this email.

Many thanks,

Michael

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Michael Wellock
Managing Director

Kirkwells
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BB10 2TP



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ST HELENS LOCAL PLAN MAIN MODIFICATIONS RESPONSE OF SHGBA

(January 2022)

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 	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"> • Hot Food Takeaways • Affordable Housing • 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	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 .	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”. This section of the plan should also include reference to the resources available to the Council and the Combined Authority for bringing forward previously developed sites, including the Brownfield Land Release Fund (https://www.gov.uk/government/news/thousands-

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>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>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>of-new-homes-to-be-built-and-derelict-land-transformed).</p> <p>Support new section 4.</p> <p>No comment.</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 <u>or</u> 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>

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	<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>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</p>	<p>No comment.</p> <p>Support</p> <p>Object. We maintain our objection that Green Belt release and the identification of safeguarded land is not necessary.</p>

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	<p>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 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>Support.</p> <p>Support.</p>

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	<p>4.6.14 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 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</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>

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	<p>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 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>	

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	<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>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</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</i> text).	SHGBA Response
	<p>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>	
<p>MM007</p>	<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> <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 development-B4, 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</u></p>	<p>Support.</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>

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	<p><u>defined in the glossary of the NPPF), unless the requirements of Policy LPC04 are satisfied.</u></p> <p>78. <u>The Council will support proposals to ...”</u></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>“16 The phrases B4, 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>Noted.</p> <p>Noted.</p> <p>No comment to make.</p> <p>No comment to make.</p> <p>No comment to make.</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>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>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>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> <p>Support extension of plan period, see previous comments on employment land calculation.</p> <p>Noted.</p>

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	<p>4.12.4413... 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>“4.12.4214 ... Whilst the residual employment land needs in the Borough identified in Table 4.4 (totalling 245.4 173.24ha) 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>4.12.4416 The total supply of allocated employment sites will (at 234.08 182.31ha – 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 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</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> <p>Support.</p>

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	<p>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><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>No comment 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><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. 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></p>	

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	<p><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 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</u></p>	

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	<p><u>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</u></p>	

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
	<p><u>to meet identified development needs is set out in the Reasoned Justification to Policy 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></p>	
<p>MM008</p>	<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 sy LPA10 and <u>LPA12</u> (in the case of sites s 7EA <u>and 8EA</u>.”</p>	<p>No comment to make.</p>
<p>MM009</p>	<p>“1. In the period from 1 April 2016 to 31 March 20375 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>Support extended plan period, see previous submissions on housing requirement calculation. We would draw the inspectors’ attention to the Council’s intention to approve a new Housing Strategy for the Borough (see Cabinet papers for meeting January 12th 2022¹). This includes a housing growth figure of 407 households per annum 2020-2030 and highlights that most growth will be in older age groups, particularly the over-75s.</p>

¹ <http://moderngov.sthelens.gov.uk/documents/g11123/Public%20reports%20pack%2012th-Jan-2022%2016.00%20Cabinet.pdf?T=10>

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	<p>“a) at least 40 dwellings per hectare (dph) on sites that are within or adjacent to St.Helens or Earlestown Town Centres; and 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 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 requirements in relation to housing delivery set out in national policy, a partial or full plan review update 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>Support.</p> <p>The text should be amended to take into account that monitoring could also show a 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 or there is a position of over-supply, taking into account the requirements in relation to housing delivery set out in national policy, a partial or full plan review update will be considered, in the first instance, to bring forward additional sites, or in the second instance, to ensure safeguarded and Green Belt land continues to be protected.”</p> <p>Noted.</p>

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	<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 72<u>75</u>%, 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>“4.18.4 ... Application of the national standard method using this approach would generate a housing need of 468 <u>424</u> 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 (<u>as updated with the latest information as at 1 April 2021</u>) identifies that sites in the urban area (as at 1 Apr 2017) had a total capacity of 7,847 <u>6,114</u> 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 <u>1,611</u> dwellings in the Plan</p>	<p>Support.</p> <p>Support extended plan period, see previous submissions on housing requirement calculation.</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>

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	<p>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 <u>2,114</u> 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 <u>reflecting the minimum densities and anticipated net developable areas set out</u>. 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>Remove Footnotes 29-33 in their entirety.</p> <p>“4.18.19 ... It is assumed that <u>the majority of housing</u> 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 <u>update</u> 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>Support.</p> <p>Support.</p> <p>Support.</p> <p>Support.</p> <p>Support.</p> <p>Noted.</p> <p>Support.</p>

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	<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 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</u></p>	<p>Object, see our previous submissions on housing requirement and Green Belt.</p>

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	<p><u>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 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</u></p>	

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	<p><u>open views across the parcel, it has strong, robust physical boundaries including existing development to the north, east and west, and Gorse 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> <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</u></p>	

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	<p><u>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 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</u></p> <p><u>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</u></p>	<p>Object, see our previous submissions on this site.</p>

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	<p><u>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>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 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>Support.</p> <p>Noted.</p> <p>Whilst the suggested MM is reasonable our site-specific objections remain unchanged.</p>

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MM011	<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 Green Belt boundaries set by this Plan can endure well beyond 2035<u>7</u>. The reasons why specific sites are safeguarded rather than allocated for development before 2035<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>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>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></p> <p>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 2,739644 dwellings. To this can be added the indicative post-20375 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. Further contributions are likely to be made from windfall sites and other sources after 20375. 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, meaning that it is likely that post-20375, housing needs may be lower than between 2020 and 20375.</p> <p><u>“Green Belt Exceptional circumstances</u></p> <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</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>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 potential to meet longer term employment needs, and by safeguarding it, there is time to address the highways and access issues noted.</u></p>	

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	<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 Green Belt purposes and has a ‘medium’ development potential. The site is within walking distance of a local convenience</u></p>	

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	<p><u>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</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. Indeed, this description in the MM reinforces the point</p>

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	<p><u>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.</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>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</u></p>	

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	<p><u>presence of 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</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>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.</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 <u>and where the necessary levels of transport</u></p>	<p>Support.</p> <p>Support.</p> <p>Support.</p> <p>Support.</p>

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	<p><u>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> 4.27.109 A new Supplementary Planning Document”</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>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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	<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 the level of existing infrastructure</u>, for example education needs or greenspace provision in areas of deficit; and</p> <p>iii) contributions that would not fall into categories i) or ii) as set out above.”</p>	
<p>MM014</p>	<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 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</p>	<p>Support.</p> <p>Amend MM to read “in the pursuit of wider Local Plan objectives”.</p> <p>Support.</p> <p>Support.</p>

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	<p>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 quality <u>(supporting the Council’s Climate Change Emergency declaration)</u>, public access, health, heritage, 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>	<p>Noted.</p>
<p>MM015</p>	<p>Site 7EA</p>	<p>No comments.</p>
<p>MM016</p>	<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; 	<p>Support.</p>

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MM017	Parkside West	No comments.
MM018	New Policy LPA13: Bold Forest Garden	No comments.
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 <u>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.</u> 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 and on the Policies Map) 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.</u>”</p>	Support.

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	<p><u>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. 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>“5.3.10 <u>The first preference for the location of new retail 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</p>	

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	<p>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> <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>	Support.

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	<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>	
<p>MM021</p>	<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, relevant evidence including the Borough’s latest Strategic Housing Market Assessment (SHMA).</u>”</p> <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>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 “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. Development that is not well designed will not be acceptable.</u></p> <p>No comment to make.</p>

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	<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>“5.4. The Council will work with partners to facilitate the provision of bungalows, and specialist and supported housing for elderly and vulnerable 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</u></p>	<p>Support.</p> <p>Support.</p> <p>Noted.</p> <p>Support.</p>

St Helens Local Plan Main Modifications – Response of SHGBA

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	<u>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>	
MM022	<p>“2. Proposals for new open market housing developments of 44 <u>10</u> 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> <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>	Support.
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</p>	Support.

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	<p>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 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>	<p>Support.</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> <p>–International and European Sites</p>	<p>Support.</p>

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	<p>– 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> <p>The following hierarchy of sites and habitats are found in the Borough:</p> <p>i) International</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. <p>ii) National • Sites of national nature importance, which in St. Helens Borough include 2 Sites of Special Scientific Interest, Stanley Bank Meadow and Highfield Moss</p> <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>	

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	<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 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</p>	

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	<p>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 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): a) on the development site; b) locations within the immediate locality and /or supporting LCR Ecological Network; c) locations that fall within the LCR Nature Improvement Area and within the Borough; and lastly d) locations that fall within the LCR Nature Improvement Area but outside the Borough. 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> <p>Evidence requirements 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. 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>	

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	<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 include Local Nature Reserves (LNRs), Local Wildlife Sites (LWSs) and Local Geology Sites (LGSs) • Priority habitat and species, and legally protected species. <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>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</p>

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	<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 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>accept it is for the statutory bodies to advise on such matters.</p>

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	<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> <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</p>	

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	<p>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 providing opportunities to travel by sustainable modes.</u> The European Greenways Association defines greenways as ...”</p>	Support.
MM028	<p>“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</p>	Object. The proposed MM deletes the reference to “valued landscapes”, when Policy LPC09:

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	<p>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></p>	<p>“Landscape Protection and Enhancement” to which this Reasoned Justification is concerned with landscapes. The deleted text “by protecting and enhancing valued landscapes” should be re-instated and consideration to a fuller, more accurate and relevant quotation/summary of paragraph 174 of NPPF from which the MM text is taken.</p>
MM029	<p>“6. Development proposals <u>should</u> must be designed and laid out in a manner that would retain <u>not damage or destroy</u> any tree subject to...”</p> <p>“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”</p>	<p>Support.</p> <p>Support.</p>
MM030	<p><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.</u> <u>Development affecting heritage assets</u> <i>Development affecting heritage assets</i></p>	<p>Support.</p>

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	<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>	

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	<p>Areas of archaeological interest</p> <p>8-7. Any development proposal that may affect one or more asset(s) of ...”</p> <p>Re-number subsequent Policy sections</p>	
MM031	<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> <p>a) the St.Helens Strategic Flood Risk Assessment;</p> <p>b) advice and guidance from relevant bodies including the Environment Agency and Lead Local Flood Authority; and</p> <p>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> <p>2. All development proposals must be supported by a Flood Risk Assessment appropriate to their nature and scale where they would be:</p> <p>a) within flood zones 2 or 3; or</p> <p>b) on a site of 1 hectare or larger within flood zone 1; or</p> <p>c) on a site of 0.5 hectare or larger within a Critical Drainage Area; or</p>	Support.

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	<p>d) in any area identified by the Council as being at intermediate or high risk of surface water flooding.</p> <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>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</p>	

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	<p>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 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</p> <p>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):</p> <ul style="list-style-type: none"> 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. <p>9.7. Surface water management infrastructure within new developments should”</p> <p>Re-number subsequent policy sections accordingly.</p>	
MM032	“4. New developments for housing, employment or other uses will be required to meet high standards of sustainable design and construction	Support.

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	<p>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 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>Support.</p> <p>No comment to make.</p>
MM033	<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 <u>local</u>, regional and national needs. To minimise the ...”</p>	<p>No comment to make.</p>

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	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...”	
MM034	<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 <ol style="list-style-type: none"> a) Maintain or enhance the character and appearance of the local environment, <u>with a focus on the importance of local distinctiveness, as 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; b) Avoid causing <u>unacceptable</u> harm to the amenities of the local area and surrounding residential and other land uses and occupiers; 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; g) Provide landscaping, <u>including tree-lined streets,</u> as an integral part of the development ... 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); 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 j) Protect the ...” 	Support.

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	<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 ... 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 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>	Support.
MM036	“ ...	Support.

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	<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> <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>	

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MM037	<p>“2. There would be no <u>significant</u> adverse impact on the <u>living conditions</u> amenity of any occupiers of neighbouring properties caused by overlooking, loss of privacy or reduction of daylight / <u>sunlight</u> to habitable rooms or garden areas;</p> <p>....</p> <p>4. ... off road parking, <u>or</u> lack of visibility or impact on the safety and free flow of traffic;</p>	Support.
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 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</p>	Support.

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	<p>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></p> <p>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 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> 	

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>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 Generis and remain unaffected. Paragraphs</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>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 PolicyLPC05 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> 	
Annex 2 – Site 7HS	<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> 	No objection to suggested text changes. Our original site objection remains unaffected by this comment.
Annex 2 – Site 8HS	<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,</u> 	No objection to suggested text changes. Our original site objection remains unaffected by this comment.

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>which should also link to areas of employment, education, health and other services in the surrounding area.</u>	
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.

RO1963

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Brown, Richard @ Birmingham



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To: planningpolicy@sthelens.gov.uk

[Redacted]

Main Modifications (Park...
74 KB

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Dear Sirs,

I have the pleasure of attaching a response to The St Helens Local Plan Main Modifications, submitted on behalf of our client, iSec (now rebranded as Almcor). The response is made in the context of their interest in Parkside East, which as you are aware is being promoted by our client.

I would be grateful if you could acknowledge safe receipt of the attached response, and please do not hesitate to contact me should you have any queries or require additional details.

Kind regards,
Richard
Richard Brown
Director
CBRE | National Planning and Development
55 Temple Row | Birmingham | B2 5LS

[Redacted]

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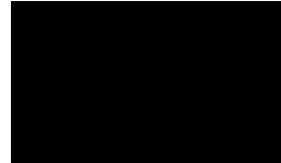
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Freeport LOCAL PLAN,
St Helens Borough Council,
St. Helens Town Hall,
Victoria Square,
St Helens,
WA10 1HP

55 Temple Row
Birmingham
B2 5LS



By email

13th January 2022

Dear Sirs,

St Helens Borough Local Plan 2020 – 2035 (Submission Version): Response to Proposed Main Modifications Consultation

CBRE act on behalf of Almcors (formerly named iSec), who are the promoters of land at Parkside East. This land is proposed for removal from the Green Belt and allocated in the draft Local Plan under Policy LPA10 for the development of a Strategic Rail Freight Interchange and other forms of industrial and logistics development.

We have made previous comments to the submission version of the Local Plan in 2019 and subsequently appeared at the local plan examination in June 2021 in relation to the land at Parkside East. The main purpose of our representations has been to express strong support for the proposed allocation at Parkside East as a unique and deliverable opportunity for a Rail Freight Interchange (“RFI”) and strategic new employment development which will be of key importance to the continued growth of St Helens and the wider Liverpool City Region.

Our comments now being made in relation to the main modifications carry forward this support to ensure that the Plan provides a robust policy basis to enable Parkside East to make a significant contribution to the future growth of the area.

Where specific changes are suggested to the text included in the Main Modifications, for clarity new text is shown as **underlined**, text recommended for deletion is shown as *strikethrough*.

Exceptional Circumstances (MM007, paragraphs 4.12.29 – 4.12.31)

Comments

Paragraphs 4.12.29 to 4.12.31 proposes new wording to be included in the Local Plan to set out the Exceptional Circumstances to justify the removal of land at Parkside East from the Green Belt.

We broadly support this new text although we recommend that additional wording be added to reflect that the site is also strategically located (and allocated for) for major B2 industrial and B8 warehousing. This is recognized by part 2 of Policy LPA10 in the submission version of the Plan.

Additionally, although the following points was not identified as part of the evidence to support the exceptional circumstances for the removal of the site from the Green Belt, as they post-dated this, there would be merit in also now highlighting:

- The fact that Parkside now forms part of the Liverpool City Region Freeport, forming one of the three identified LCR Freeport tax zones. In the March 2021 Budget, Liverpool City Region was announced by the Chancellor as one of eight places across England that will be granted Freeport status; and
- That the Secretary of State issued a decision in relation to the call-in applications for the Parkside Link Road (APP/H4315/V/20/3253230 and APP/H0655/V/20/325323) on 11th November 2021.

Through these call-in decisions, the Secretary of State noted the importance of the Parkside Link Road to the delivery of Parkside East (and Parkside West Phase 2), and the significant economic, regeneration and sustainability benefits that would arise as a result of the development of these sites which will contribute to meeting the compelling demand for B8 logistics floorspace.

Recommended Changes to Main Modifications Text

*“4.12.30 This site has excellent locational advantages in relation to the delivery of an SRFI **and major warehousing and industrial development**, 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.*

*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 major employment development** and the site is considered to have ‘good’ development potential. **Additionally, although not identified as part of the evidence base supporting the exceptional circumstances, subsequently Parkside has been included as one of three Tax Sites as part of the Liverpool City Region Freeport. Also, as part of call-in decisions made in respect of the Parkside Link Road in 2021, the Secretary of State acknowledged that development at Parkside will deliver significant economic, regeneration and sustainability benefits, including through meeting the compelling demand for B8 logistics floorspace in the area.**”*

Policy LPA10: Parkside East (MM015, Policy LPA10)

Comments

The following new criterion j) is proposed to be added to Policy LPA10:

j) ensure the timely delivery of the rail terminal infrastructure of the SRFI or other rail served employment development, in accordance with the comprehensive masterplan to be prepared for the whole site as required by Policy LPA04.1, section 2. Within this, details of the phasing for the whole site must include a clear and justified employment floorspace trigger for the delivery of the rail terminal infrastructure.”

The intent of this criterion is to provide a mechanism to ensure the timely delivery of any rail terminal infrastructure in the context of the overall development at Parkside East. The proposed wording is supported as providing a sound approach to balance this objective without seeking to define a precise trigger for the provision of any rail terminal at this stage.

This flexibility is important because the construction of warehousing and the construction of a new railway terminal will involve different timescales and, as concluded by the Secretary of State in relation to decisions made on proposals for rail freight interchange schemes elsewhere, it is also considered entirely reasonable that a commercial undertaking should seek to generate income from warehousing facilities before the railway becomes operational. Defining a trigger for the delivery of any rail terminal infrastructure will need to be properly and fully assessed in the context of a defined scheme. At that stage, greater detail will be known in relation to the technical and other factors that will influence the Programme and sequencing of development across the site.

Annex 6: Monitoring Framework LPA10 (Main Modifications page 177)

Comments

Annex 6 sets out the Policy Monitoring Framework to be applied by the Council, which includes the progress targets to be achieved.

In terms of Parkside East, the proposed target anticipates substantial development for employment purposes with a minimum of 60ha identified and reserved for rail-enabled employment development.

As noted above, and in line with other rail freight interchanges elsewhere, it is likely that an element of commercial (i.e. industrial and warehousing) development will take place before the completion of railway infrastructure but that the sequencing of development will need to be defined in the context of a specific scheme. For example, it could be that certain rail elements come forward at earlier stages. It is also important to confirm that the 60ha of rail-enabled employment development referred to in the monitoring target will also include within it land for rail freight terminal infrastructure, alongside any rail-served employment development. As noted in previous submissions, the precise scale and nature of railway terminal infrastructure is being explored with an anchor Rail Freight Operating Company (FOC).

In terms of monitoring, we would therefore recommend that the wording for the target for Parkside East is more simply referred back to the provisions of Policy LPA10 and that it is also clarified that the date this progress needs to be achieved should be by the end of the Plan period.

Recommended Changes to Main Modifications Text

To amend the policy monitoring target proposed for Policy LPA10 (Parkside East) to read:

*“Substantial development of Parkside **East** for employment purposes **by the end of the Plan period (2037) and in accordance with the provisions of Policy LPA10; a minimum of 60ha identified and reserved for rail-enabled employment development”***

We trust that the above comments are of assistance and that they will be duly considered by the Council in making amendments to the proposed main modifications prior to formal adoption of the Local Plan.

Yours sincerely,



Richard Brown
Director

For and on behalf of CBRE Ltd

RO1988

[REDACTED]

From: stuart glover <[REDACTED]>
Sent: 12 January 2022 13:41
To: planningpolicy@sthelens.gov.uk
Subject: Local plan, Save our green belt

Importance: High

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.

To who it may concern

I endorse all the issues raised by SHGBA and support everything they are trying to protect, regarding green belt land in and around St. Helens and use brownfield sites for recognised needs.

Regards Mr S.Glover
32 Brookfield avenue
Rainhill, St. Helens
L35 4px

Sent from [Mail](#) for Windows