

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

MATTERS, ISSUES AND QUESTIONS FOR THE EXAMINATION AND HEARING SESSIONS

Hearings Commence:	Tuesday 25 May 2021
Format of Sessions:	Virtual via MS Teams
Inspectors:	Mark Dakeyne BA (Hons) MRTPI Victoria Lucas LLB (Hons) MCD MRTPI
Programme Officer:	Kerry Truman
Address	PO Box 229, Prenton, CH26 9EY
Phone:	07582 310364
Email:	KerryTrueman@sthelens.gov.uk
Website:	https://www.sthelens.gov.uk/planning-building-control/planning-policy/local-plan/local-plan-examination-news/
Preamble:	<p>The Matters, Issues and Questions set out below arise from:</p> <ol style="list-style-type: none">(1) The Inspectors' initial assessment of the Plan against the tests of soundness; and(2) The points made by representors that go to soundness. <p>All references within the document to the National Planning Policy Framework (the Framework) are to the February 2019 version.</p> <p>The Council intend to produce a draft Schedule of potential Main Modifications (MMs) in advance of the hearings, to be published around the same time as statements.</p>

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 1 – 09.30 Tuesday 25 May 2021

Matter 1

Introduction to the Hearings, Legal Compliance, Procedural Requirements, and the Duty to Cooperate

This matter explores whether the Plan (LP) has been prepared in accordance with legal and procedural requirements set out in the Planning Act 2004 and the Local Planning Regulations 2012.

There are provisions within the Act and Regulations relating to the Duty to Cooperate (DtC), Sustainability Appraisal (SA), publication and notification requirements and dealing with representations.

Policies to be covered by Matter 1: LPA02 and LPA04 (in respect of the DtC)

Main Evidence Base

SD004 - Consultation Statement

SD015 – Statement of Community Involvement (SCI)

SD005 - SA Reports

SD006 – Habitats Regulations Assessment (HRA) and Addendum Report

SD009 – SD012.1 - DtC Statement and Statements of Common Ground

SD017 – Legal Compliance Statement

SD022 – Employment Land Need and Supply Background Paper

SD025 - Housing Need and Supply Background Paper

SD030 – LCR and Neighbouring Authorities Indicative Green Belt

SHBC001 – Council response to Inspector’s preliminary questions

Issue 1: The extent and type of consultation and community engagement

The Planning Act requires that the local planning authority (LPA) prepares a SCI and complies with it. The purpose of the examination is to determine whether these requirements have been met.

- 1. Is there any evidence that the Council has not complied with the Statement of Community Involvement (SCI) or otherwise not met the minimum requirements for consultation or that consultation and publicity has otherwise been inadequate at various stages of the LP process?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Issue 2: The DTC and in particular addressing development needs in the Housing Market Area and dealing with infrastructure constraints, particularly transport.

The Liverpool City Region (LCR) is in the early stages of developing a Spatial Development Strategy (SDS). A Statement of Common Ground (SOCG) has been prepared by the authorities within the LCR together with West Lancashire Borough Council

- 2. Based on work on the SDS to date, including the proposed vision, policy topic areas and potential suggested policy approaches, is there likely to be alignment between the LP and the SDS?*

Warrington lies outside the LCR but has close links with it, particularly, St Helens and Halton, which together form the mid-Mersey Housing Market Area (HMA). It is noted that a Draft SOCG was prepared with Warrington but has not been finalised. The reason given is due to Warrington pausing work on its LP.

- 3. What is the current position on Warrington's LP and the SOCG between Warrington and St Helens?*
- 4. Are there any implications for the St Helens LP arising from the pause in the preparation of the Warrington LP, particularly for the Omega Allocation (1EA) which is intended to meet Warrington's needs?*

The DtC Statement indicates that, as a result of the cooperation process relating to development needs and land supply, none of the neighbouring districts have identified a need for St Helens to accommodate any of their development needs and no spare capacity has been identified in any neighbouring local authority areas to accommodate any of the needs arising in St Helens. Adjoining authorities, like St Helens, are constrained by Green Belt (see SD030).

- 5. Is there sufficient evidence to demonstrate that the Council has cooperated effectively with adjoining authorities in exploring whether any of St Helen's housing and employment land needs can be met elsewhere or that St Helens does not need to meet the development needs of neighbouring authorities?*
- 6. Does the absence of SOCG with other adjoining authorities e.g. Wigan have any implications for demonstrating whether effective cooperation has been maintained?*

A need has been identified within the LCR as a whole to accommodate the growth of the logistics and warehousing sector. This is linked in part to

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

the growth of the Port of Liverpool and the proposed Strategic Rail Freight Interchange (SRFI) at Parkside. SHBC001 (PQ37) summarises the approach to uplifting the employment requirement over the baseline objectively assessed need (OAN) for St Helens to meet some of this need.

- 7. Is the uplift in the employment requirement to meet a sub-regional need for the logistics and warehousing sector supported by sufficient evidence of collaboration and effective joint working between St Helens and other strategic policy-making authorities?*
- 8. Is the proposal for a SRFI at Parkside supported by sufficient evidence of collaboration and effective joint working between St Helens and other strategic policy-making authorities?*

The Framework indicates that strategic policy-making authorities should engage with infrastructure providers. The DtC Statement refers to the cooperation that has been instigated in relation to infrastructure including on transport, flood risk and utilities. SHBC001 refers to the preparation of a SOCG with Highways England to inform the examination process (PQ23).

- 9. Is there sufficient evidence that the Council has cooperated effectively with infrastructure providers and technical consultees on relevant issues such as transport, flood risk and utilities?*
- 10. Is there evidence that this cooperation will continue so that the necessary infrastructure will be delivered in a timely fashion?*
- 11. What is the up-to-date position on cooperation in terms of delivery of key motorway junction improvements, taking into account any SOCG with Highways England?*

Note – the above questions focus on cooperation on housing and employment provision and infrastructure in the context of the DtC. Matters 2, 3, 4 and 10 will consider housing, employment, and infrastructure and its delivery, (including the SRFI) in more detail.

Issue 3: The SA, its consideration of reasonable alternatives and proposed mitigation measures

- 12. Have the likely environmental, social, and economic effects of the Local Plan been adequately assessed in the SA?*
- 13. Does the SA meet statutory and legal requirements in relation to the assessment of reasonable alternatives?*

When assessing reasonable alternatives, a number of options were rejected as they were not considered reasonable (summarised in SHBC001 – PQ4). These include:

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

- a. Not meeting housing needs
- b. Not meeting employment needs
- c. Focusing a greater proportion of new development on brownfield land in the urban area
- d. Limited or no release of Green Belt land to meet future development needs

14. In light of the above is there any evidence to indicate that the SA process did not comply with the relevant regulations?

The options that were assessed in the SA were used to inform the preferred approach to the level and distribution of growth set out in the Plan.

15. Is there any evidence to indicate that not considering the options listed above as reasonable alternatives affects the soundness of the Plan in terms of the preferred approach identified? If so, how?

16. Has the SA informed the site selection process?

17. Is it clear how the relative merits and constraints of the sites have been assessed?

18. How has this assessment informed decisions to allocate, safeguard or omit sites?

The SA describes the potential for certain adverse impacts to arise because of some policies and projects identified in the Plan.

19. Does the Plan include adequate mitigation measures to address these?

Specifically, the potential adverse impacts include:

- a. Air quality and the Air Quality Management Area (AQMA) close to the Parkside allocation and Junction 22 of the M6 (Newton-le-Willows) and potential issues that might arise as a consequence of the levels of planned development.
- b. Potential negative effects on landscape in relation to housing and employment allocations in the Green Belt.
- c. Potential impacts that may arise regarding growth in locations that are likely to attract high levels of car usage and the suggestion that monitoring of impacts will be important.

The Council has identified a number of mitigation measures such as specific policies or the phasing of development on certain sites.

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

20. Will these combined measures be sufficient to mitigate the potential adverse impacts identified? If not, what evidence is there to suggest that they won't?

Note – the questions focus on the overall robustness of the SA process rather than detailed assessment of specific sites. Matter 4 will consider whether there are any significant inconsistencies in the way that particular allocations and safeguarded sites have been assessed.

Issue 4: Habitats Regulations Assessment (HRA)

21. Will the mitigation measures proposed within the HRA ensure that there will be no significant effects on the integrity of sites of European importance?

Addressing recreational pressure is the only identified impact pathway for which an agreed approach across the LCR will be required. A Recreation Mitigation Strategy (RMS) is therefore being developed by Merseyside Environmental Advisory Services for the LCR authorities, in discussion with Natural England. The RMS is due to be finalised in January 2023.

22. How will it be ensured that the RMS is realistic and effective?

Until the RMS is finalised the Council have said (in their response to the Inspector's Preliminary Questions) that enhancements to Bold Forest Park will be delivered to address any increase in recreational pressure arising.

23. What form will the enhancements to Bold Forest Park take?

24. Will these measures be effective in mitigating any potential effects? If not, why not?

The HRA identifies potential impact pathways in relation to functionally linked land for non-breeding birds (most likely pink footed goose) using the Special Protection Area particularly regarding several employment and housing allocations in the Plan. Mitigation measures identified by the Council to address this potential impact include Policy LPC06 and a proposed Nature Conservation Supplementary Planning Document (SPD).

25. Will the above mitigation measures be sufficient to ensure that there will be no significant effects?

26. Is the Plan sufficiently clear as to the scope, content, and details of the proposed SPD?

27. What level of certainty is there that any proposed mitigation measures could be achieved at application stage and what form are the mitigation measures likely to take?

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

The Manchester Mosses Special Area of Conservation (SAC) has been identified as being at risk from increased air pollution caused by traffic. The Council's schedule of proposed changes (AM067) shows additional wording to part 1 of Policy LPC06 which would require 'smaller development proposals' to be accompanied by sufficient evidence to enable the effects of the proposal on the SAC to be assessed.

- 28. Is such a requirement necessary and justified?*
- 29. Is it clear from the wording of the policy what is meant by 'smaller development proposals' or 'sufficient evidence'?*
- 30. Would it be clear to applicants and decision makers what level of evidence they would need to submit with applications in order to comply with the policy?*
- 31. Where relevant are the policies in the Plan consistent with the avoid, mitigate, and compensate hierarchy in paragraph 175 of the Framework?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 2 – 09.30 Wednesday 26 May 2021

Matter 2

Housing and Employment Needs and Requirements

This matter explores the timeframe of the LP and whether the amount of housing and employment land proposed in the LP is appropriate to meet the needs of the area up to its end date.

Policies to be covered by Matter 2: LPA02, LPA04, LPA05

Main Evidence Base

SD022 – Employment Land Need and Supply Background Paper

SD025 - Housing Need and Supply Background Paper

SHBC001 – Council response to Inspector’s preliminary questions

HOU001 & HOU003 Strategic Housing Market Area (SHMA) Assessments

EMP001 – EMP003 Employment Land Needs Studies

Issue 1: The Local Plan timeframe

The Framework requires that strategic policies should look ahead over a minimum 15-year period from adoption. The submitted plan has an end date of 2035. Adoption is not likely until late 2021 at the earliest and so a 15-year period from adoption would not be achieved.

In response to the Inspectors preliminary questions, the Council has agreed that a MM could be proposed to extend the Plan period to 2037.

- 1. Are there any comments on the alternative end dates of 2035 (submission) and 2037 (possible MM)?*

The Council has also considered the implications of extending the plan period to 2037. The housing requirement would be increased by 972 units and the employment land requirement by 11.6 ha. The Council considers that the increase would be met by identified housing and employment land supply and allocated sites which would still be under construction in 2035 (See SHBC001 – PQ25).

- 2. Are there any comments on the implications of extending the period in such a way, particularly for the housing and employment land requirement, taking into account the Council’s comments?*

The Plan includes within its title 2020-2035 (front cover), Policy LPA02 has a Plan period of 1 April 2020 to 31 March 2035 and the Glossary refers to the same period. However, the base dates for the employment land and housing requirements are different. Policy LPA04 (employment)

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

and its explanation refer to a base-dates of both 2012 and 2018, whereas Policy LPA05 (housing) refers to a base date of 1 April 2016.

In response to the Inspectors' preliminary questions and suggestion that the base date should be 1 April 2016, the Council acknowledged the different base dates but considered that a base date of 2016 would have significant implications for the employment land requirement as set out in SHBC001 (PQ28).

- 3. Are the different base dates for employment land and housing requirements justified?*
- 4. Would a consistent base date for the Plan of 1 April 2016 have any implications for the Plan in relation to meeting the area's objectively assessed needs, particularly relating to employment?*

Issue 2: Housing Need and Requirement

Policy LPA05 indicates that a minimum of 9,234 net additional dwellings (486 dwellings per annum (dpa)) will be provided between 2016 and 2035. If the Plan period was extended to 2037 the requirement would increase to 10,206 dwellings.

The Council's Housing Need and Supply Background Paper indicates that the local housing need assessment informed by the standard method set out in Planning Practice Guidance (PPG) would result in a figure of 434 dpa. However, PPG indicates that in some circumstances it may be appropriate to apply an uplift to the standard-method local housing need (LHN) figure to arrive at the full level of housing need. Some of the circumstances are set out in paragraph 010 of PPG. The Council refer, in particular, to the planned employment levels as a justification for the housing requirement being in excess of the starting point (see SHBC001 – PQ29).

- 5. Do the circumstances, particularly relating to economic growth, support the requirement for housing of 486 dpa as an uplift on the LHN figure?*
- 6. Should the housing requirement be further increased to take into account economic growth aspirations, choice and competition in the housing market and affordable housing need?*
- 7. Is the change in the housing requirement during the Plan preparation process justified?¹*

¹ These are summarised at pages 19-20 of the Housing Need and Supply Background Paper

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Issue 3: Employment Need and Requirement

The Plan identifies a need to deliver a minimum residual of 219.2ha of employment land between 2018 and 2035 (Policy LPA04) against an OAN of 227.4ha. This residual need would increase to 230.8ha if the end of the Plan is extended to 2037 (and likewise the OAN would increase to 239ha for this extended period). These figures are assuming a base date of 2012 for the employment requirement. If the base date was 2016 and the end date of the Plan 2037, the residual requirement would be 155.69 between 2020 and 2037 (see SHBC001-PQ28) against a revised OAN of 215.8ha (2016-2037).

8. Is this employment land requirement justified and supported by the evidence?

9. How does the figure compare with trends in the past take-up of employment land?

The evidence shows that past take up was low between 2012 and 2017. The Council consider this was primarily because of inadequate supply of sites attractive to the market (see SHBC – PQ31).

10. Is the Council's position that past take up is primarily due to a lack of supply of sites attractive to the market or are there other relevant considerations?

11. Does comparing the situation in St Helens with neighbouring authorities indicate that there was a lack of suitably attractive sites?

12. If a lack of suitable sites was a factor, is it realistic to assume that once the supply of sites is increased there will be a spur on development that will be above the forecast average rate to 2037?

More recent evidence post 2018 has shown an upturn in the take up of employment land.

13. Can this be primarily attributed to an increase in the availability of sites or are there other relevant factors?

The employment land requirement historic take-up methodology used to calculate the OAN has a base date of 2012. This is because the evidence suggests that take-up rates since then have been low.

14. Is this approach justified?

15. Would the inclusion of post-2012 take-up rates affect the historic baseline for predicting needs? If so how?

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

The Council have indicated that changing the baseline date for the employment requirement from 2012 to 2016 (in order to align with the base date used for other evidence base documents that support the Plan) would result in a reduction of the OAN requirement of 23.2 ha (equivalent to 4 years of the requirement) (or 11.6 ha if the Plan period is extended to 2037, equivalent to 2 years of the requirement).

16. What would be the implications for the Plan if the OAN requirement were reduced by 4 (or 2) years?

17. How would these implications be addressed?

The Council have also indicated that changing the baseline date to 2016 would affect the residual employment land requirement. It would be reduced by 75.11 ha (63.51 ha if the Plan period were extended). This is because there has been significant take up during 2018-2020 at several proposed allocation sites (2EA, 3EA and 10EA). If the completed allocations were discounted (and 1EA which is allocated to meet Warrington's need), the remaining allocations would equate to 182.52 ha. The Council calculate that this would mean that the total allocations would be 26.83 ha over the requirement.

18. If changing the baseline date to 2016 affected the residual employment land requirement, what implications would there be for the Plan?

19. How would these implications be addressed?

The ELNS Addendum assumes that a large proportion of the need for employment land will derive from the logistics sector (between 110 and 155 hectares). More recent data on take up shows large-scale warehousing is being developed in Haydock (Florida Farm and Penny Lane). There are also several pending planning applications (Parkside, Haydock Point, Omega West).

20. Does the recent data demonstrate that there is a strong demand for large-scale warehousing to serve the logistics sector?

21. Is this demand likely to be sustained during the Plan period on the scale envisaged by the land allocated for this type of development?

An additional 55-65 hectares of employment land has been added to the baseline demand to support additional need deriving from major projects and demand from the logistics sector.

22. Is this justified and consistent with national policy?

23. Is the amount of land identified in addition to land that has already been identified to meet the needs of large-scale

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

warehousing from the logistics sector (such as at Haydock and Parkside) justified?

24. *Is there a risk that the potential for future growth in this sector may have been over estimated?*

A 5-year flexibility buffer has also been included amounting to 29 ha.

25. *Is an additional 5-year buffer necessary, justified and consistent with national policy?*

26. *How was the extent and nature of the buffer required identified?*

Warrington Borough Council indicate in the SOCG (SD012) a need for 362 ha of employment land. However, that need has not been tested through an examination. The Warrington LP will not be submitted for examination until later in 2021 at the earliest.

27. *Does the above likely timeline have any consequences for the Plan?*

Site EA1 has been specifically identified to meet the employment land needs of Warrington Borough Council.

28. *Is the provision of 31 ha of employment land to meet some of Warrington's needs justified?*

Issue 4: Alignment between housing and employment requirements

SHBC001 (PQ43) summarises the Council's position in relation to the alignment between housing and employment requirements.

29. *Is there sufficient evidence to indicate a clear alignment between housing and employment land requirements, particularly given the different base dates referred to above?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 3 – 09.30 Thursday 27 May 2021

Matter 3

Spatial Strategy and Strategic Policies

The matter considers whether the spatial strategy is justified and whether related strategic policies are positively prepared, effective, and consistent with national policy.

Specific sites will be discussed during Week 2 of the hearings.

Policies to be covered by Matter 3: LPA01, LPA02, LPA03, LPA05 (Section 3), LPA06

Main Evidence Base

SD026 – Developing the Strategy Background Paper

SD020 – Green Belt Review 2018

GRE001 - St Helens Local Plan Draft Green Belt Review 2016

SHBC001 – Council response to Inspector’s preliminary questions

Issues:

Issue 1: Previously developed land and housing densities

Policy LPA02 refers to the re-use of previously developed land in key settlements being a key priority. Section 11 of the Framework refers to making effective use of land.

- 1. Is there any inconsistency between LPA02 and the Framework in relation to its approach to brownfield land?*

Section 3 of Policy LPA05 sets out the densities that housing development should aim to achieve depending on where the site is located. In response to preliminary questions the Council has suggested a MM to the policy (SHBC001 – PQ44).

- 2. Would Section 3 of Policy LPA05 ensure that optimal use is made of sites as set out in paragraph 123 of the Framework?*

Issue 2: Green Belt and Exceptional Circumstances

(Green Belt alterations will also be discussed in relation to specific allocations during Week 2)

The Framework requires that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified. The Council, in seeking to meet its housing and employment needs, suggest that sites on the edge of settlements which are currently Green

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Belt, are required. In proposing such release, the Council suggests that there are insufficient sites within built-up areas

3. *Does the presence of Green Belt provide a reason for restricting the overall scale of development proposed by the Plan (paragraph 11. b) i of the Framework)?*
4. *Have, in principle, exceptional circumstances been demonstrated for the alteration of Green Belt boundaries?*
5. *On the assumption that the housing and employment requirements are justified, has the quantum of Green Belt release been supported by proportionate evidence? For example, has effective use of sites in the built-up areas and brownfield land been fully explored, including optimising the use of such land?*
6. *On a Boroughwide level is the methodology for Green Belt assessment robust and reasonably consistent with that used by adjoining authorities?*

Issue 3: The principle of safeguarded land being identified to meet longer-term development needs

(Green Belt alterations will be discussed in relation to specific areas of Safeguarded Land during Week 2)

The Plan proposes removal of land from the Green Belt to provide safeguarded land to meet longer term housing and employment needs (paragraph 139 of the Framework refers). In response to preliminary questions the Council has sought to explain how the quantum of safeguarded land has been determined (SHBC – PQ45).

7. *Are the proposals to identify safeguarded land between the urban area and the Green Belt justified to meet longer-term development needs?*
8. *Has enough or too much land been proposed for safeguarding to meet longer-term development needs?*
9. *In general terms is the safeguarded land in the right place to meet longer-term development needs?*
10. *Are the terms of Policy LPA06, particularly in relation to the release of safeguarded land, consistent with national policy?*

Issue 4: Compensatory improvements to Green Belt land

Paragraph 138 of the Framework requires that Plans set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements. In response to preliminary

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

questions the Council has sought to explain how the Plan will deliver these improvements (SHBC – PQ47).

11. Taking into account the Council's initial response, is the Plan clear on how it would intend to deliver compensatory improvements?

12. On the assumption that the Plan's policies should set out ways that such compensatory improvements would be achieved, what modifications would be necessary?

Issue 5: The spatial distribution

Policy LPA02 identifies a number of key settlements for the focusing of regeneration and growth. However, concerns have been expressed that the distribution of development through allocations does not reflect the size and sustainability of settlements or that allocations are on the periphery of these key settlements.

13. Is the spatial distribution of development within the Plan justified?

14. Has the spatial distribution had regard to the impacts on climate change, including CO2 emissions?

Issue 6: Site Selection

Paragraph 4.6.10 of the Plan summarises the approach to the selection of sites to be removed from the Green Belt to meet development needs. The GB assessments referred to under Issue 2 are an important part of this process but other factors such as accessibility, infrastructure and deliverability have been taken into account (see also paragraphs 6.24 – 6.28 of SD026 and SD020).

15. Taking into account the range of factors considered in site selection, has the Council's approach been robust, positive and justified?

Issue 7: Policies LPA03 and LPA01

Policy LPA03 sets out development principles that form the basis for more detailed policies of the Plan.

16. Is Policy LPA03 consistent with national policy and effective?

Policy LPA01 (Presumption in Favour of Sustainable Development) seeks to replicate paragraph 11 of the Framework. However, the PPG advises that 'there is no need for a plan to directly replicate the wording in paragraph 11 in a policy'. The Council has agreed to delete the policy. However, it is noted that some representors support the policy.

17. Is Policy LPA01 necessary for the soundness of the Plan?

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 4 – 09.30 Tuesday 8 June 2021

Matter 4

**Allocations, Safeguarded Land and Green Belt Boundaries
Bold, Eccleston, Sutton Manor, Thatto Heath and St Helens Core
Area**

This matter considers the proposed allocations and safeguarded land in Bold (1EA, 1ES, 3HA, 4HA, 5HA), Eccleston (3HS), Sutton Manor (6HS), Thatto Heath (10EA, 9HA, 7HS) and St Helens Core Area (11EA, 6HA, 10HA, 8HS)

Policies to be covered by Matter 4: LPA04, LPA04.1, LPA05, LPA05.1, LPA06

Main Evidence Base

SD022 – Employment Land Need and Supply Background Paper

SD025 - Housing Need and Supply Background Paper

SD026 - Developing the Strategy Background Paper

SD027 – Bold Forest Garden Suburb Position Statement

SD020 – Green Belt Review 2018

GRE001 - St Helens Local Plan Draft Green Belt Review 2016

TRA005 – Bold Forest Garden Suburb Transport Review 2019

SHBC005 – Council response to Inspector’s preliminary questions

Issue 1: Omega South Western Extension (1EA) and Omega North Western Extension (1ES)

Site 1EA is allocated to meet Warrington’s needs. Site 1ES is safeguarded to meet St Helens long term needs.

- 1. Do the Green Belt assessments support the allocation and safeguarded land and demonstrate exceptional circumstances for the removal of the land from the Green Belt?*
- 2. In relation to these exceptional circumstances, is Site 1EA justified to meet Warrington’s needs, having particular regard to the stage that Warrington’s LP has reached?*
- 3. If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?*
- 4. Are the configuration and scale of the allocation and safeguarded land justified taking into account development needs and the Green*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Belt assessments?

5. *Would the adverse impacts of developing Site 1EA (Green Belt impacts, traffic, air quality) outweigh the benefits?*
6. *Is Site 1EA deliverable, taking into account any offsite transport infrastructure required?*
7. *Should Site 1ES be allocated rather than safeguarded so that it can contribute to meeting needs in the Plan period?*
8. *Are the indicative site areas and appropriate uses for Sites 1EA and 1ES within Tables 4.1 and 4.7 justified and effective?*
9. *Are the requirements for Site 1EA within Policy LPA04.1 (Sections 2, 3, 4 and 5) and Appendix 5 (Site Profile) and for Site 1ES within Appendix 7 (Site Profile) positively prepared and effective?*
10. *Are there any barriers to Site 1EA coming forward in the Plan period?*

Issue 2: Bold Forest Garden Suburb (4HA), Land south of Gartons Lane (5HA) and Former Penlake Industrial Estate (3HA)

Bold Forest Garden Suburb (4HA) is the largest allocation in the LP with an indicative capacity of almost 3,000 homes, albeit that most of the development would be delivered beyond the Plan period. The allocation is supported by the Bold Forest Garden Suburb Position Statement and the Bold Forest Transport Review.

Land south of Gartons Lane (5HA) is also identified as a strategic site anticipated to deliver around 570 homes most of which would be within the Plan period. The former farm buildings and church site fronting Gartons Lane may need to be included in the allocation.

The former Penlake Industrial Estate (3HA) is under-construction and therefore should be treated as a commitment rather than allocation.

The Council, in response to preliminary questions, has indicated that MMs would ensure that Greenways are referenced in Policy LPA.05.1 and the Site Profile for 4HA.

11. *Does the Plan reflect the current status of Penlake Industrial Estate (3HA) as a commitment?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

12. *Do the Green Belt assessments support the allocations 4HA and 5HA and demonstrate exceptional circumstances for the removal of the land from the Green Belt?*
13. *If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?*
14. *Are the configuration and scale of the allocations justified taking into account development needs, the Green Belt assessments and land ownerships?*
15. *Is the allocation of Site 4HA broadly consistent with the Bold Forest Park Area Action Plan?*
16. *Would the adverse impacts of developing Sites 4HA and 5HA (including Green Belt impacts, traffic, air quality, flood risk, loss of agricultural land, biodiversity) outweigh the benefits?*
17. *Are the requirements for Sites 4HA and 5HA within Policy LPA05.1 (Section 2) and Appendix 5 (Site Profiles) positively prepared and effective, particularly in relation to ensuring Green Infrastructure and sustainable modes of travel are delivered alongside the development?*
18. *Are the net developable areas, minimum densities and indicative site capacities within Table 4.5 justified and effective?*
19. *Should the Bold Forest Garden Suburb (4HA) have a bespoke policy in view of its scale?*
20. *Will infrastructure to support the allocations be delivered at the right time and in the right place?*
21. *Are there any barriers to Sites 4HA and 5HA coming forward as anticipated by the housing trajectory, for example land assembly/multiple ownerships?*

Issue 3: Eccleston (3HS), Sutton Manor (6HS), and Thatto Heath (10EA, 9HA, 7HS)

The Plan proposes to safeguard the former Eccleston Golf Course (3HS), Land east of Chapel Lane, Sutton Manor (6HS) and Elton Head Road, Thatto Heath (7HS). There is a hybrid application pending at

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Eccleston Golf Course for some 830 dwellings and retail and children's nursery.

The Former Linkway Distribution Park (9HA) is identified as a strategic site anticipated to deliver around 350 homes within the Plan period. It has planning permission so should be treated as a commitment rather than as an allocation.

Land at Lea Green Farm (10EA) is completed and therefore should be treated as such rather than as an allocation.

22. *Does the Plan reflect the current status of Former Linkway Distribution Park (9HA) (with planning permission) and Lea Green Farm (10EA) (completed)?*
23. *What is the up-to-date position on the application for development at Eccleston Golf Course?*
24. *Do the Green Belt assessments support the safeguarded land (3HS, 6HS, 7HS) and demonstrate exceptional circumstances for the removal of the land from the Green Belt?*
25. *If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?*
26. *Is the configuration and scale of the safeguarded land justified taking into account long-term development needs and the Green Belt assessments?*
27. *Should any of the safeguarded sites be allocated rather than safeguarded so that they can contribute to meeting needs in the Plan period?*
28. *Are the requirements for the sites within Appendix 7 (Site Profiles) necessary, positively prepared and effective?*
29. *Are the net developable areas, minimum densities and indicative site capacities within Table 4.8 justified and effective?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Issue 4: Gerards Park, College Street (11EA), Land east of City Road, Cowley Hill (6HA), Moss Nook Urban Village (10HA) and land south of A580, Windle (8HS)

Gerards Park (11EA) has an extant planning permission and site clearance is underway. An application for up to 1,100 dwellings and mixed use floorspace is pending on land east of City Road (6HA). Moss Nook Urban Village (10HA) has outline planning permission and a pending reserved matters application. Site preparation appeared to be underway in January 2021.

The Plan proposes safeguarding 52 ha of land south of A580, Windle (8HS).

30. *What is the up-to-date position on the allocations 11EA, 6HA and 10HA?*
31. *Should the status of any of 11EA, 6HA and 10HA be changed from allocations to commitments?*
32. *Does the Green Belt assessment support the safeguarded land (8HS) and demonstrate exceptional circumstances for the removal of the land from the Green Belt?*
33. *If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?*
34. *Is the configuration and scale of the safeguarded land justified taking into account long-term development needs and the Green Belt assessments?*
35. *Should 8HS be allocated rather than safeguarded so that it can contribute to meeting needs in the Plan period?*
36. *Are the requirements for the Site 8HS within Appendix 7 (Site Profiles) necessary, positively prepared and effective?*
37. *Is the configuration of Site 10HA justified taking into account the extant planning permission?*
38. *Are the requirements for Sites 6HA and 10HA within Policy LPA05.1 (Section 2) and Appendix 5 (Site Profiles) positively prepared and effective?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

39. *In particular in relation to Site 10HA, will the Plan ensure that any playing fields lost will be replaced by the equivalent or better provision?*
40. *Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Tables 4.1, 4.5 and 4.8 justified and effective?*
41. *Does the Plan contain sufficient safeguards so that the development of Site 6HA would not prejudice adjoining employment uses?*
42. *Will infrastructure to support the allocations be delivered at the right time and in the right place?*
43. *Are there any barriers to Sites 6HA and 10HA coming forward as anticipated by the housing trajectory?*

Issue 5: Other Green Belt boundaries

44. *Are the Green Belt boundaries elsewhere in Bold, Eccleston, Sutton Manor, Thatto Heath and St Helens Core Area justified?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 5 – 09.30 Wednesday 9 June 2021

Matter 4

**Allocations, Safeguarded Land and Green Belt Boundaries
Rainford, Billinge, Garswood and Haydock**

This matter considers the proposed allocations and safeguarded land in Rainford (9EA, 8HA), Garswood (1HA, 1HS) and Haydock (2EA, 3EA, 4EA, 5EA, 6EA, 2HA, 2ES).

Policies to be covered by Matter 4: LPA04, LPA04.1, LPA05, LPA05.1, LPA06

Main Evidence Base

SD022 – Employment Land Need and Supply Background Paper

SD025 - Housing Need and Supply Background Paper

SD026 - Developing the Strategy Background Paper

SD020 – Green Belt Review 2018

GRE001 - St Helens Local Plan Draft Green Belt Review 2016

SHBC005 – Council response to Inspector’s preliminary questions

Issue 1: Land to west of Sandwash Close, Rainford (9EA) and land south of Higher Lane, Rainford (8HA)

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

- 1. Do the Green Belt assessments support the allocation of Site 8HA and demonstrate exceptional circumstances for the removal of the land from the Green Belt?*
- 2. If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?*
- 3. Is the configuration and scale of allocation 8HA justified taking into account development needs and the Green Belt assessments?*
- 4. Would the adverse impacts of developing Site 8HA (Green Belt impacts, highway safety, proximity to industrial development) outweigh the benefits?*
- 5. Is Site 9EA justified taking into account vacant land/units nearby on Rainford Industrial Estate?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

6. *Can a safe and suitable access be achieved to Sites 9EA and 8HA?*
7. *Are the requirements for Sites 9EA and 8HA within Appendix 5 (Site Profile) positively prepared and effective?*
8. *Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Tables 4.1 and 4.5 justified and effective?*
9. *Will infrastructure to support the allocations be delivered at the right time and in the right place?*
10. *Are there any barriers to Site 8HA coming forward as anticipated by the housing trajectory?*

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

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

11. *Do the Green Belt assessments support the allocation of Site 1HA and the safeguarding of Site 1HS and demonstrate exceptional circumstances for the removal of the land from the Green Belt?*
12. *If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?*
13. *Is the configuration and scale of allocation 1HA justified taking into account development needs and the Green Belt assessments?*
14. *Would the adverse impacts of developing Site 1HA (Green Belt impacts, highway safety) outweigh the benefits?*
15. *Are the requirements for Sites 1HA and 1HS within Appendices 5 and 7 (Site Profiles) positively prepared and effective?*
16. *Are the indicative site areas, net developable areas, minimum densities and indicative site capacities within Tables 4.5 and 4.8 justified and effective?*
17. *Will infrastructure to support the allocations be delivered at the right time and in the right place?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

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

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

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

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

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

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

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

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

21. *If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?*

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

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

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

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

25. *Are the requirements for Sites 4EA, 5EA, 6EA, 2HA and 2ES within Policies LPA04.1 and LPA05.1 and Appendices 5 and 7 (Site Profiles) positively prepared and effective?*
26. *How should the requirements for Sites 5EA and 6EA be modified to provide clarity on access arrangements?*
27. *Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Tables 4.1, 4.5 and 4.8 justified and effective?*
28. *Will infrastructure to support the allocations, including improvements to Junction 23 (M6), be delivered at the right time and in the right place?*
29. *Are there any barriers to Site 2HA coming forward as anticipated by the housing trajectory?*

Issue 4: Other Green Belt boundaries

30. *Are the Green Belt boundaries elsewhere in Rainford, Garswood, Billinge and Haydock justified?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 6 – 09.30 Thursday 10 June 2021

Matter 4

**Allocations, Safeguarded Land and Green Belt Boundaries
Parkside and Newton-le-Willows/Earlestown**

This matter considers the proposed allocations and safeguarded land at Parkside (7EA, 8EA) and Newton-le-Willows/Earlestown (7HA, 2HS, 4HS, 5HS)

Policies to be covered by Matter 4: LPA04, LPA04.1, LPA05, LPA05.1, LPA06, LPA10

Main Evidence Base

SD022 – Employment Land Need and Supply Background Paper

SD024 – Parkside SRFI Background Paper

SD025 - Housing Need and Supply Background Paper

SD026 - Developing the Strategy Background Paper

SD020 – Green Belt Review 2018

EMP005 – EMP006 – Parkside Logistics and Rail Freight Interchange Study and Addendum

EMP010 - Parkside Strategic Rail Freight Interchange Report Capability & Capacity Analysis

GRE001 - St Helens Local Plan Draft Green Belt Review 2016

SHBC001 & SHBC005 – Council response to Inspector’s preliminary questions

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

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

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

- 1. Do the Green Belt assessments support the allocation of Sites 7EA and 8EA and demonstrate exceptional circumstances for the*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

removal of the land from the Green Belt?

2. *If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?*
3. *Is the configuration and scale of the allocations and safeguarded land justified taking into account development needs and the Green Belt assessments?*
 - a. *Is the allocation of a SRFI of the scale proposed in the Plan justified?*
 - b. *Would a facility of a smaller scale (for example handling up to 8 to 10 trains daily) achieve similar benefits whilst minimising potential impacts (for example a reduced amount of Green Belt land needing to be released as these smaller options would only utilise land to the east of the M6 for road and rail infrastructure)?*
 - c. *Could the Plan's aim of seeking to maximise the opportunities of delivering an SRFI of regional and national significance still be achieved?*
4. *Would the adverse impacts of developing Sites 7EA and 8EA (Green Belt impacts, landscape impacts, highway safety, flood risk, agricultural land, air quality) outweigh the benefits?*
5. *Are the requirements for Sites 7EA and 8EA within Policies LPA04, LPA04.1 and LPA010 (Site 7EA) and Appendix 5 (Site Profiles) positively prepared and effective?*
6. *Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Table 4.1 justified and effective?*
7. *Will infrastructure to support the allocations be delivered at the right time and in the right place?*
8. *Would there be delivery implication for sites 7EA and 8EA if a suitable connection to J22 (whether via the proposed Link road or an alternative link) is not delivered during the Plan period?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

9. *In terms of feasibility and deliverability, will the future capacity of the rail network be capable of facilitating the delivery of an SRFI at Parkside?*
10. *What level of certainty is there that there will be sufficient capacity and is that sufficient to demonstrate that the proposed facility will be deliverable during the Plan period?*
11. *Are there any barriers to Sites 7EA and 8EA coming forward as anticipated?*

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

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

12. *Do the Green Belt assessments support the allocation of Site 7HA and the safeguarding of Sites 2HS, 4HS and 5HS and demonstrate exceptional circumstances for the removal of the land from the Green Belt?*
13. *If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?*
14. *Should Sites 2HS, 4HS and 5HS be allocated rather than safeguarded so that they can contribute to meeting needs in the Plan period?*
15. *Is the configuration and scale of allocation 7HA and safeguarded site 4HS justified taking into account development needs, the Green Belt assessments and, in the case of 4HS, the effects on the setting of the Vulcan Village Conservation Area and recreational facilities?*
16. *Would the adverse impacts of developing Site 7HA (Green Belt impacts, highway safety, loss of playing field) outweigh the benefits?*
17. *Are the requirements for Sites 7HA and 2HS, 4HS and 5HS within Appendices 5 and 7 (Site Profiles) positively prepared and effective?*
18. *In particular in relation to Site 7HA, will the Plan ensure that any playing fields lost will be replaced by the equivalent or better provision?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

19. *Are the indicative site areas, net developable areas, minimum densities and indicative site capacities within Tables 4.5 and 4.8 justified and effective?*
20. *Will infrastructure to support the allocation be delivered at the right time and in the right place?*
21. *Are there any barriers to Site 7HA coming forward as anticipated by the housing trajectory?*

Issue 3: Other Green Belt boundaries

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

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Reserve Session – 09.30 Friday 11 June 2021

Matter 4

Allocations

This session will only be necessary if any of the Issues and Questions on Matter 4 have not dealt with during Sessions 4, 5 and 6.

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 7 – 09.30 Tuesday 15 June 2021

Matter 5

Housing Land Supply

This matter considers how the housing requirement will be met; whether those means of meeting the requirement have been justified and will be effective; and whether the LP will have a 5-year housing land supply (HLS) on adoption of the LP

Policies to be covered by Matter 5: LPA05, LPA05.1

Main Evidence Base

SD025 - Housing Need and Supply Background Paper

HOU002 - St Helens Strategic Housing Land Availability Assessment (SHLAA)

SHBC001 – Council response to Inspector’s preliminary questions

SHBC004 - Further evidence on Housing Supply, including updated SHLAA Site Assessments

SHBC005 – Council’s response to Inspectors' Preliminary questions on Site Allocations and Safeguarded Land

In response to preliminary questions the Council has indicated as follows:

- Table 4.6 of the Plan (housing land requirements and supply) will be updated to reflect the tables in Appendix 5 to SD025 but as of 31 March 2021 and potentially including an extended Plan period up to 2037.
- The housing trajectory at Figure 4.3 would be replaced by an update reflecting that shown in Appendix 1 to SD025.
- SD025 also includes a more detailed trajectory showing how allocations and other major sites (including commitments and SHLAA sites) will deliver for each year over the Plan period.
- The above takes into account updated SHLAA site assessments (SHBC004).
- The Table at Appendix 2 of SD025 shows the key assumptions and parameters that will be relied on to calculate the 5-year HLS (5% buffer and the Sedgfield² approach to dealing with shortfalls). This could be added to the reasoned justification to Policy LPA05.

² Dealing with the shortfall in the next 5 years

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Issues

Issue 1: Components of Housing Supply

1. *Having regard to the Council's responses referred to above, will the up to date housing supply position be clearly shown in the Plan (base date of 31 March 2021)?*
2. *Having regard to Council's responses referred to above, will the components of the housing supply that will meet the housing requirement be clearly shown in the Plan?*
3. *Is the small sites allowance of 93 dpa justified by compelling evidence (see paras 4.10 to 4.13 of SD025)?*
4. *Should the supply shown within the Plan make an allowance for demolitions or are they accounted for within the net number of homes anticipated to be delivered from each site?*
5. *Should empty homes be included as a component of supply?*
6. *Does the Plan show sufficient flexibility in the supply to ensure that the housing requirement will be met over the Plan period (the Council's latest figures show a residual requirement of 7778 units and potential housing supply of 8384 units assuming a Plan period until 2037³)?*
7. *Is the flexibility in housing supply provided by the Green Belt sites justified?*
8. *Would greater certainty be provided within the Plan if SHLAA sites (or the larger sites) were to be allocated (see SHBC001 – PQ52)?*

Issue 2: The Housing Trajectory

9. *Is the evidence that supports the Housing Trajectory (Figure 4.3 as amended by Appendix 1 to SD025) based on realistic assumptions?*
10. *In particular:*
 - a. *Should a lapse rate be applied to sites expected to deliver in the next 5 years as well as those delivering later in the Plan period (see SHBC001 – PQ50)?*

³ SHBC001 - PQ25

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

- b. Is the evidence about the delivery of SHLAA sites contained within the SHLAA together with SD025 and SHBC004 robust?*
- c. Is the evidence about delivery from stalled sites robust (see SHBC001 – PQ53)?*
- d. Are the assumptions about delivery from allocations robust (discussed under Matter 4)?*
- e. Are lead in times and build out rates realistic?*
- f. Is the significant spike in delivery shown in the trajectory between 2025/26 and 2026/27 realistic and supported by evidence (see SHBC001 – PQ54)?*

Issue 3: Five Year Housing Land Supply

The five-year housing requirement is based on the annual requirement of 486 dpa x 5 with a 5% buffer applied. There has not been any shortfall in provision since the start of the Plan period (2016). Supply is made up of large sites under-construction and those with planning permission, some SHLAA sites, delivery from some LP allocations and a small sites allowance. Appendix 2 to SD025 shows a supply of 5 years.

- 11. Is the use of a 5% buffer to calculate the housing land supply position appropriate?*
- 12. Is the inclusion of 465 units from small sites in the 5-year supply justified?*
- 13. Generally, are the assumptions about the delivery from commitments, SHLAA sites and allocations within the 5-year supply realistic?*
- 14. Are lead in times and build out rates within the 5-year supply realistic?*
- 15. Are there any measures that the Council can take to provide more elbow room in terms of the 5-year supply?
Note - SHBC001 – PQ55 refers to the possibility of a stepped housing requirement and/or increasing the small sites allowance.*
- 16. Will there be a five-year supply of deliverable housing sites on adoption of the LP?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Issue 4: The wording of Policy LPA05

17. Will Policy LPA05 as worded be effective in maintaining delivery through the Plan period?

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 8 – 09.30 Thursday 17 June 2021

Matter 6

Employment Land Supply, Employment Policies and Town Centres

This matter considers employment land supply, employment policies and town centres.

Policies to be covered by Matter 6: LPA04, LPA04.1, LPB01, LPB02

Main Evidence Base

SD022 – Employment Land Need and Supply Background Paper

EMP004 – Retail and Leisure Study

EMP011 – St Helens Town Centre Strategy

LOC014 – Local Economy SPD

SHBC001 & SHBC005 – Council response to Inspector’s preliminary questions

Issue 1: Employment land supply

As of 31 March 2020, the supply of developable employment land was 4.04ha (Table 4.2 of SD022). This takes account of the fact that Sites 2EA, 3EA and 10EA have all now been completed. Also, Site 9EA has not been recently counted in the supply of employment sites as the extant planning permission on the site was granted in 1992 and although development was lawfully commenced it is considered that the deliverability of the extant permission is uncertain.

The Council has agreed to provide a further update to Table 4.4: Residual Employment Land Requirement – 2018 - 2035. (p34 of the submitted Plan) via a MM to reflect the situation as of 31 March 2021 and potentially to reflect an extended Plan period up to 2037.

- 1. Will the up to date employment land supply position and the components of the employment land supply that will meet the employment land requirement be clearly shown in the Plan (base date of 31 March 2021)?*

Issue 2: Employment Policies

The Council have suggested an additional criterion to Policy LPA04 1 (and the reasoned justification) relating to the Covid-19 pandemic. The relevant Council references are AM014 and AM092. These are both considered to be an MM.

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

2. *Would the modification referred to above be justified and necessary?*

Section 5 of Policy LPA04 seeks protection of existing employment sites unless other uses can be justified. However, paragraph 121 of the Framework advocates a positive approach to applications for alternative uses of previously developed land.

3. *Is the Council satisfied that Policy LPA04 is consistent with national policy in relation to the above provisions?*

Section 4 b) of Policy LPA04 requires an allocated site (for the purposes of the policy) to be 'offered for employment use on the open market at a reasonable price in a manner and for a period agreed with the Council'.

4. *Is Criterion 4 b) effective (sufficiently clear and precise to applicants and decision makers), particularly as to how a 'reasonable price' and the manner and period of marketing required would be defined?*

The Council have suggested an MM to update the reasoned justification to Policy LPA04 to include reference to a minimum marketing period of 18 months for allocated employment sites.

5. *Would the above MM, including an 18-month period for marketing, ensure the policy is justified and effective?*

The change of use of other sites and buildings that are or were last in employment uses is dealt with under Policy LPA04 Section 5. Part a) refers to the Local Economy SPD which was published in 2013. Paragraphs 6.10 to 6.17 of the Local Economy SPD sets out how such applications would be dealt with.

6. *Are the measures set out above justified and consistent with national policy?*

The SPD also references a minimum marketing period of 12 months as being required. This differs to the 18-month period for allocated sites.

7. *Is the above difference in timescales justified?*

8. *Bearing in mind that SPDs do not form part of the development plan and should be used to add further detail to the policies in the plan, is it sufficiently clear what the requirements of this part of the policy are from Policy LPA04 alone and is the policy effective in this regard?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Issue 3: Town centres

Policy LPC04 sets out the network and hierarchy of centres in the area. The relevant evidence base document supporting how they have been defined is the Retail and Leisure Study (EMP004).

9. *Is the retail hierarchy of centres (set out in Policy LPC04 Section 1 of the Plan) logical and justified by the evidence?*
10. *Taking into account the pandemic has the Council considered whether Policy LPC04 and the extent of defined centres will be effective over the Plan period, particularly having regard to the possible need for town centres to be more adaptable and flexible in terms of uses?*

Paragraph 4.6.16 sets out the aim of the Plan in supporting existing centres. New retail and town centre uses will be focused towards existing centres appropriate to their type and scale. The preferred location for new comparison retail and intensive town centre leisure development will be St. Helens Town Centre which has seen its comparison goods market share weaken in recent years. Policy LPB01 provides more detail of the approach that will be taken in St. Helens Town Centre and Central Spatial Area, with a focus on helping to create a high-quality built environment that will help support the delivery and implementation of future regeneration and development. A Town Centre Strategy (2017) sets out a vision for the future of the Town Centre and details initiatives to deliver this. This includes improving the offer of St. Helens Town Centre including through the provision of new retail and leisure floorspace, along with steps to encourage the reuse of vacant floorspace. The Plan considers that these measures will be sufficient to address the qualitative and quantitative needs identified.

Policy LPB02 provides more detail on the approach that will be taken in Earlestown Town Centre, described as the second Town Centre in the Borough and paragraph 5.6.8 sets out the intention to bring forward a dedicated Town Centre strategy in the form of an SPD.

11. *Is the retail strategy the most appropriate strategy for the area and is it justified by the evidence?*

Paragraph 5.3.3 of the Plan sets out a requirement for additional comparison goods floorspace across the Borough as having been identified from 2023 onwards. This will correspond to an approximate need for between 3,000 m² and 6,200m² of new floorspace by 2028

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

rising to between 9,200m² and 21,200m² by 2033. The Plan proposes to meet this need (at paragraph 5.3.4) by pursuing a 'town centre first' principle and by accommodating as much of this additional floorspace within St. Helens Town Centre as possible. This will be achieved by prioritising the re-occupation of vacant units and seeking to locate future leisure-based development in the town centre (paragraph 5.3.5).

12. Does Policy LPB01 clearly set out how future retail needs will be met during the Plan period?

13. Is the policy justified and consistent with paragraph 85 d) of the Framework which states that planning policies should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead?

Policy LPB01 refers to the 'St Helens Town Centre and Central Spatial Area'. The Council has suggested a Modification to the reasoned justification for Policy LPB01 to signpost that the Central Spatial Area is shown on the policies map and also that a plan showing the Central Spatial Area boundary could be inserted into Appendix 11 (MM).

14. Would these suggested modifications ensure that the policy wording is clear as to what is meant by the Central Spatial area and how it is defined for the purposes of the policy?

Policy LPB01 refers to an 'area of opportunity'. The policy states that this area has been identified for future development. The Council has stated (SHBC001) that the 'Area of Opportunity' was identified through the St. Helens Consultation Draft Town Centre Strategy (2017) (EMP011). The area defined indicatively on the Policies Map reflects one part of the 'Growth Quarter' (located to the south of the Primary Shopping Area) identified in the Strategy. The Growth Quarter has been identified as an arc of opportunity to enhance the vitality and viability of St Helens town centre and its role as a sub-regional shopping centre.

15. Is it sufficiently clear from the wording of Policy LPB01 how the area of opportunity is defined, what its purpose is and when development is expected to take place in this area?

16. How will the policies in the Plan deal with development proposals that come forward?

Policy LB01 and supporting text (paragraph 5.3.9) refers to Primary and Secondary frontages and that they have been identified in line with the Framework. The Framework no longer specifically refers to Primary and

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Secondary Frontages, albeit that PPG does. National policy now only refers to Primary Shopping Areas.

The Council have acknowledged the shift away from 'Primary and Secondary Frontages' to a 'Primary shopping area' as outlined in Paragraph 85a) of the Framework and supporting Town Centre definition. The Council now consider that it is not necessary to identify Primary and Secondary Frontages. The Council have suggested modifications to address this (MM) and these are set out in a table on page 50 of SHBC001.

- 17. Will the Modifications suggested ensure that the approach to Town Centre definition in the Plan is effective and consistent with national policy?*

In requiring an impact assessment, paragraph 89 of the Framework sets a default threshold of 2,500 square metres where there is no locally set threshold. Policy LPC04 (part 6) states that the locally set threshold for retail development will be: 300m² within 800m of the boundary of Earlestown PSA or of a District Centre; 200m² within 800m of the boundary of a Local Centre; and 500m² in all other cases. Leisure development would also have the same locally set thresholds applied. The policy goes on to state (Part 8) that where more than one impact threshold applies, the lower impact threshold will take precedent.

- 18. Is this locally set threshold appropriate and justified by the evidence?*

Paragraph 6.12.11 states that where an impact assessment is required the applicant should agree the scope with the Council and that the Council will take account of PPG when considering such assessments.

- 19. Is the above wording effective and is it clear that the Council will in effect agree the scope, scale and level of required information having regard to national policy?*

In SHBC001, the Council have stated that the changes in the Use Class Order will have no significant impacts on the effectiveness of the Plan but that there will need to be some modifications made to those policies affected by the change in use classes (the Council's suggested modifications are listed in a table within SHBC001 from pages 44-48).

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

20. *Is the change in the UCO likely to have any significant impacts on the effectiveness of the Plan and could any impacts be addressed by modifications to the affected policies?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 9 – 13.30 Thursday 17 June 2021

Matter 7

Specific Housing Needs and Standards

This matter considers housing mix, housing standards/sustainable design, affordable housing, and the needs of gypsies, travellers and travelling showpeople.

Policies to be covered by Matter 7: LPC01, LPC02, LPC03, LPC13 (Section 4)

Main Evidence Base

SD025 - Housing Need and Supply Background Paper

SD028 – Climate Change Background Paper

HOU001 – St Helens SHMA Update January 2019

HOU003 – Mid Mersey SHMA January 2016

GYP001 - Merseyside and West Lancashire Gypsy and Traveller
Accommodation Assessment (GTAA) January 2015

VIA001 - St Helens Economic Viability Assessment (EVA), December 2018

SHBC001 – Council response to Inspector’s preliminary questions

Issue 1: Housing Mix

Policy LPC01 indicates that housing should address a range of house types and sizes as informed by the latest SHMA. Section 3 of the policy refers to 5% of homes on larger greenfield developments being bungalows. However, the SHMA Update (HOU001) indicates that it is difficult to quantify the need/demand for bungalows.

- 1. Is Section 1 of Policy LPC01 positively prepared, justified and effective in reflecting the needs of different groups in terms of size and type of housing?*
- 2. Does the reference to the 'latest SHMA' in Policy LPC01 result in a positively prepared and effective policy?*
- 3. Taking into account the findings of the SHMAs and the need to make effective use of land, is the 5% requirement for bungalows on larger greenfield sites in Section 3 of Policy LPC01 justified (see SHBC001 – PQ60)?*
- 4. Does Policy LPC01 make sufficient provision for the housing needs of older people?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

5. *Does Policy LPC01 make sufficient provision for the housing needs of those who wish to build their own homes?*
6. *Should Policy LPC01 make reference to a need for detached houses based on the low number of such homes within the housing stock (paragraph 2.5.1 of the Plan refers)?*

Issue 2: Housing Standards/Sustainable Design

Section 2 of Policy LPC01 seeks to apply the optional standards set out in Parts M4(2) and M4(3) of the Building Regulations. Section 4 of Policy LPC13 requires that strategic housing developments meet 10% of their energy needs from renewable/low carbon sources.

7. *Is the application of the optional standards for accessible and adaptable standards and wheelchair users for larger greenfield developments through Section 2 of Policy LPC01 justified having regard to paragraph 127 of the Framework, the PPG and the evidence base?*
8. *Is there any justification for the use of the Nationally Described Space Standard (see SHBC001 – PQ61)?*
9. *Should Policy LPC01 refer to a transitional period for the introduction of the optional standards?*
10. *Is the requirement within Policy LPC13 for strategic housing sites to provide at least 10% of their energy needs from renewable/low carbon sources justified and consistent with national policy?*
11. *Is Section 4 of Policy LPC13 consistent with the Government's current policy on energy performance set out in the Written Ministerial Statement of March 2015⁴?*

Issue 3: Affordable Housing

Policy LPC02 includes a zonal approach to the provision of affordable housing based on the findings of the EVA. Sites in Zone 1 (Town Centre and Parr Wards) would not be expected to provide any affordable homes despite the provisions of paragraph 64 of the Framework (see SHBC001 – PQ62).

12. *Is the zonal approach to the provision of affordable housing within Policy LPC02 positively prepared and justified by proportionate*

⁴ Energy performance standard equivalent to former CSH level 4

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

evidence, including the EVA?

13. *In particular:*

a. *Is the provision of 30% of affordable homes on greenfield sites in Zones 2 and 3 justified?*

b. *Are the differences between Zones 2 and 3 in relation to brownfield sites justified and clear to the decision maker?*

14. *Is Policy LPC02 sufficiently flexible to take into account that circumstances will vary site-by-site (Section 4 refers)?*

15. *Is there any justification for a rural exceptions site policy for affordable housing (see SHBC001 – PQ63)?*

Issue 4: Gypsies, travellers and travelling showpeople

Policy LPC03 allocates two sites at Sherdley Road, Thatto Heath for travellers, one as a residential site for 8 pitches and the second as a transit sites for 3 pitches. The residential site seeks to meet needs which have been identified since the preparation of the GTAA and a subsequent permission for 12 pitches. These recent needs are explained as deriving from changes in occupancy of sites and the rise in the number of unauthorised sites (pages 25-26 of SD025 and pages 91-92 of the LP).

16. *Is the evidence base supporting the need for 8 residential pitches and 3 transit pitches robust, taking into account factors such as existing provision, household growth, hidden need (those in bricks and mortar housing), unauthorised sites and encampments and any engagement with the traveller community?*

17. *Should Policy LPC03 be modified so that it sets pitch targets for gypsies and travellers (paragraph 9 of Planning Policy for Traveller Sites (PPTS) refers)?*

18. *Is the need identified for the next 5 years or for later in the Plan period?*

19. *Depending on the response to Q18, is the allocated residential site deliverable or developable?*

Policy LPC03 includes criteria against which proposals for traveller sites would be assessed. In response to preliminary questions the Council confirmed that it considered that criterion g) relating to access to services was realistic (SHBC01 – PQ64). In addition, a MM was suggested to take

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

into account the need for travelling showpeople to have space for rides etc.

20. Are the criteria within Section 4 of Policy LPC03 fair and consistent with national policy in PPTS?

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 10 – 09.30 Friday 18 June 2021

Matters 8 & 9

8 - Minerals Policies

9 - Generic Policies

Policies to be covered by Matters 8 and 9: LPC14, LPC15, LPA11, LPD10, LPC06, LPC07, LPC08, LPC09, LPC10, LPC11, LPC12, LPC13 (other than Section 4), LPD01, LPD02, LPD04, LPD05, LPD06, LPD07, LPD08, LPD09

Main Evidence Base

SHBC002 - Response to Inspectors' Preliminary Questions on Generic and Development Management Policies

Issue 1: Minerals and Waste Policies

Policy LPC14 contains a number of provisions relating to minerals. The Council has agreed to modify the policy to refer to 'local, regional and national needs' so that it is consistent with paragraph 204 of the Framework (SHBC002 – Matter 8).

- 1. Is Policy LPC14 positively prepared and consistent with the Framework?*

Policy LPC15 makes reference to the Merseyside and Halton Waste Plan which allocates sites for, and guides decisions on, waste.

- 2. Is Policy LPC15 positively prepared and consistent with the Framework and the Merseyside and Halton Waste Plan?*

Issue 2: Health and Wellbeing

Policy LPA11 sets a number of criteria to guide development including those which seek to ensure access to green spaces, encourage physical activity and guide the location of food and drink uses. Policy LPD10 provides more detail in terms of the location of food and drink establishments, including, for hot food takeaways, proposing an exclusion zone around schools.

In response to preliminary questions the Council sought to provide more explanation as to the 'planning decisions and processes' referred to in Policy LPA11, the evidence about the health impacts of food and drink establishments and where such uses should be guided. Further responses were also provided on the evidence to support Policy LPD10 and the exclusion zones. The Council has also suggested MMs to take into

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

account changes to the Use Classes Order and the creation of the new Class E (SHBC002).

3. *Are Policies LPA11 and LPD10 positively prepared, justified and consistent with national policy?*
4. *Taking into account the creation of Class E, are the modifications proposed by the Council to Policy LPD10 sound?*

Issue 3: Environment and Resources Policies

Policies LPC06, LPC07, LPC08, LPC09, LPC10, LPC11, LPC12 and LPC13 deal with a range of environmental policies. Section 4 of Policy LPC13 is dealt with under Matter 7. In response to preliminary questions, the Council proposes modifications to:

- Policy LPC06 (Biodiversity and Geological Conservation) and its explanation.
- Policy LPC07, the Site Profile for Site 4HA, Policy LPA05.1 and the Policies Map in relation to Greenways.
- The reasoned justification to Policy LPC09 (paragraph 7.15.1) to delete reference to 'valued landscapes' as none are identified within St Helens Borough.
- Section 6 of Policy LPC10 (Trees and Woodlands).
- Policy LPC11 (Historic Environment) so that it is consistent with, but does not repeat, national policy in Section 16 of the Framework.
- Policy LPC12 (Flood Risk and Water Management) so that it is consistent with, but does not repeat, national policy in Section 14 of the Framework.
- The reasoned justification to Policy LPC13 to delete reference to specific proposals for wind energy development (paragraph 7.27.5).

5. *Having regard to the proposed modifications, are Policies LPC06, LPC07, LPC08, LPC09, LPC10, LPC11, LPC12 and LPC13 positively prepared, clear to the decision maker and consistent with national policy?*
6. *Whilst the achievement of net gains for biodiversity and enhancement of the natural environment is desirable, will a simple 2 for 1 replacement of any trees lost within Section 6 of Policy LPC10 be necessarily the most appropriate way of achieving gains and is it justified by any evidence (see Council's response to preliminary questions)?*

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Issue 4: Development Management Policies

Policies LPD01, LPD02, LPD04, LPD05, LPD06, LPD07, LPD08 and LPD09 deal with a range of development management policies. In response to preliminary questions, the Council proposes modifications to:

- Section 1 of Policy LPD01 (Ensuring Quality Development).
- Criteria 6 and 7 of Policy LPD02 (Design and Layout of New Housing).
- Sections 2 and 4 of Policy LPD04 (Householder Developments).

7. Having regard to the proposed modifications, are Policies LPD01, LPD02, LPD04, LPD05, LPD06, LPD07, LPD08 and LPD09 positively prepared, clear to the decision maker and consistent with national policy?

8. Are the requirements for developments to make provision for digital communication networks and make contributions to off-site broadband infrastructure within Policy LPD07 justified and consistent with national policy having regard to paragraph 112 of the Framework and the scope of the Building Regulations?

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 11 – 09.30 Tuesday 22 June 2021

Matters 10 & 11

10 - Infrastructure and Delivery

11- Monitoring and Implementation

These matters consider infrastructure, including transport and Green Infrastructure, developer contributions, viability and Monitoring and Implementation.

**Policies to be covered by Matters 10 & 11: LPA08, LPA09, LPA02
Appendix 2: Definition of Infrastructure, Appendix 4: Monitoring
Framework**

Main Evidence Base

SD013 – St Helens Borough Local Plan 2020-2035 Infrastructure Delivery Plan (IDP) 2020, October 2020

SHBC001 – SHBC002 Council responses to Inspector’s preliminary questions

SHBC003 – Background Paper on Open Space

MON001 – 2018-2019 Annual Monitoring Report, 2019

VIA001 – EVA, December 2018

SD004 – Consultation Statement – Appendices 21 and 22 (responses to comments on EVA)

TRA003 - Local Plan Transport Impact Assessment (TIA)

LOC009 – Ensuring a Choice of Travel SPD

Issue 1: Definition and scope of infrastructure required

In INSP002, we identified that ‘Appendix 2: Definition of Infrastructure’ contains some categories that, in our view, do not comprise infrastructure and would not be expected to be supported by developer contributions as required by Policy LPA08. The Council have responded and suggested an MM to delete Appendix 2.

The IDP supports the implementation of the Local Plan and sets out what level of new or improved infrastructure will be required to deliver the growth proposed. Policy LPA08 sets out how new development will be supported by infrastructure delivery and funding.

The TIA identifies that the development of sites allocated in the Plan will result in additional traffic growth that is forecast to impact on the highway network at some locations. The forecast models indicate that the impact can be mitigated by a combination of measures (highway infrastructure projects, modest changes in travel behaviour and lower cost

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

improvements across key junctions). Additionally, the TIA identifies no specific highway safety concerns as a consequence of additional traffic on the network arising from the development proposed in the LP.

- 1. In general terms will Policy LPA08, the IDP and other policies of the Plan, including allocation policies, ensure that necessary infrastructure is delivered and in a timely fashion?*
- 2. Will the mitigation measures identified be sufficient to address the highway impacts identified?*
- 3. Is the Council satisfied that the LP proposals would not have an unacceptable impact on highway safety or the residual cumulative impacts on the road network would not be severe (see SHBC001 – PQ65)?*
- 4. How will the Council work with infrastructure and service providers (including the Liverpool City Region, Merseytravel, Highways England, developers, landowners and neighbouring authorities) to identify and address any impacts of proposed development, including through the use of contributions and through the implementation of highway improvement schemes?*

The Council have agreed to an MM to Policy LPA07 1 (a) so that the policy is clear that rail improvements will form part of the infrastructure necessary to achieve the Council's strategic priorities.

Policy LPA07 1 e) identifies that the Council will secure the delivery of a number of rail projects to achieve the strategic priorities listed in part 1 of the policy. These include a new station at Carr Mill and the proposed Skelmersdale Link Road. There is a development brief for the proposed new station at Carr Mill and the site is currently the subject of a planning application for residential use and this seeks to safeguard land for a new station (referenced in SHBC001).

- 5. How will the Plan help to deliver these projects?*
- 6. Is it clear from the wording of Policy LPA07 how a decision maker should react to development proposals for these rail projects (in line with paragraph 16 d) of the Framework)?*

Issue 2: Developer Contributions

The Council accept that viability is a challenge in parts of the Borough (SHBC001). The Plan seeks to achieve an appropriate level of developer contributions through a zonal approach to affordable housing (Policies

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

LPA02 and LPC02). However, a zonal approach is not used for other infrastructure. That said, Policy LPA08 recognises that economic viability will be an important consideration in assessing proposals.

The Council has stated (SHBC001) that the intention is to provide flexibility in requiring developer contributions to take account of viability constraints. Essentially, it appears that decisions on developer contributions, apart from affordable housing, would be made on a site by site basis with developers needing to undertake site specific viability appraisals.

7. How is the strategy in relation to developer contributions to be implemented by the LP (see SHBC001 – PQ69)?

8. Is the approach set out in Policy LPA08 effective and does it strike the right balance between flexibility and certainty for applicants?

Issue 3: Viability

The delivery of the LP, particularly the allocations, will depend on whether sites are viable. The policies of the LP may impact on viability. Whether specific sites are deliverable or developable has been considered under Matter 4. However, this issue provides an opportunity to consider whether overall the EVA and its assumptions are robust. The EVA concludes that:

'the overall scale of obligations, standards and policy burdens contained in the Local Plan are not of such a scale that cumulatively they threaten the ability of the sites and scale of development identified in the Plan to be developed viably.' (Paragraph 7.37)

9. Does the EVA make realistic assumptions about land values, sales values, finance, profit and development costs?

Issue 4: Green Infrastructure (GI)

Policy LPA09 deals with GI. Policy LPC05 refers to open space. Policy LPC06 refers to the hierarchy of wildlife sites. Policy LPC07 refers to Greenways. These areas comprise GI and are identified on the Policies Map (See SHBC001 – PQ70). The Council agrees that the proposed Greenway that would run through the Bold Forest Garden Suburb should also be shown on the Policies Map (Matter 4 refers).

The Council have suggested MMs to the Policy LPA09 regarding the definition of GI. This seeks to clarify that GI comprises a network of multi-functional natural assets located in a range of areas. However, the reasoned justification as amended at paragraph 4.33.2 would seek to include rural areas around the towns in the definition.

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

10. Is the inclusion of rural areas in the definition of GI justified?

11. How would rural areas be defined?

12. Are the definitions of GI contained within the Plan consistent (criteria 1 of policy LPA09, paragraph 4.33.2, GI in the Glossary to the Plan at Appendix 1)?

13. Is the definition of GI consistent the Framework?

Policy LPA09 sets a high bar regarding loss of Green Infrastructure, specifically 'development that will result in the loss.... will be refused.'

14. Is this policy justified and consistent with national policy?

Policy LPA09 sets out exceptions where loss of GI might be acceptable. The Council have agreed that further clarification could be provided in the form of MMs to Section 4 of Policy LPA09.

15. How would it be demonstrated that appropriate protection or retention of GI assets cannot be achieved?

16. What mitigation, other than compensatory provision, would be required?

17. How could Section 4 of Policy LPA09 be modified to provide greater clarity on where the loss of GI might be acceptable to ensure that the policy is effective and consistent with national policy?

Policies LPC05 and LPD03 together deal with the protection and provision of open space, the open space typologies being referred to in paragraph 7.3.3. In view of the importance of open space to achieving the Council's spatial vision and strategic objectives, we requested a background paper on Open Space, Sport and Recreation, summarising the findings of the documents OPE001 to OPE005 and any other relevant evidence. A background paper has been prepared and submitted as requested (SHBC003). The paper concludes that, whilst the Borough has a variety of open space, sport and recreation facilities and sufficient provision in some typologies, there are some deficiencies with current provision of open spaces as well as for some sports such as swimming.

18. Will the policies of the Plan, including LPC05 and LPD03, ensure sufficient protection and provision of open space?

Policy LPD003 only requires open space on residential developments of 40 dwellings or more. It is noted that the EVA considered the impact of the

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

40-dwelling threshold but did not test a lower threshold, of say 10 dwellings, in terms of its impact on viability.

19. Is the threshold of 40 dwellings for the provision of open space positively prepared, justified and consistent with national policy?

Section 1 of Policy LPD03 and paragraph 7.3.11 imply that open space may only be required within new residential developments if there are existing deficiencies in the area, albeit that 1. b) of the policy qualifies this to an extent.

The Council have agreed to an MM to Policy LPD03 and paragraph 7.3.11 to ensure that it is clear that even if there is sufficient open space in an area in quantitative terms, larger residential developments would be expected to provide certain typologies of open space such as play areas for children and young people along with amenity greenspace.

Paragraph 8.9.5 indicates that the requirements for open space in Policy LPD03 are in addition to any requirements for outdoor sports facilities. Reference is then made to Policies LPA08 and LPC05. We note that neither policy includes specific standards for outdoor sport provision but that Table 7.1 refers to the Council's Playing Pitch Strategy and Action Plan as a basis for assessing the need for outdoor sport provision. This reflects the advice of Sport England that a quantitative standard for outdoor sports is not appropriate.

The Council have also agreed to MMs to Policy LPD03 to ensure that it refers to all open space typologies, including outdoor sports facilities, and is specific about how provision for all typologies is to be achieved (e.g. for outdoor sport it would be through contributions to enhance existing facilities or through the provision of new facilities as informed by the Playing Pitch Strategy and Action Plan (as per paragraph 7.3.12). Some of the reasoned justification for Policy LPC05 (paragraphs 7.3.11 and 7.3.12 and Table 7.1) would also be moved to the justification for Policy LPD03.

In terms of new provision for outdoor sport, including addressing shortfalls, it is noted that the requirements for strategic housing allocations within Policy LPA05.1 and Appendix 5 are not specific as to what provision should be made for outdoor sport and recreation. The recommendations of the Playing Pitch Strategy and Action Plan (OPE005) date from 2016 and new evidence has recently been commissioned by the Council that will supersede this document. Rather than translating the requirements from the study into requirements for the strategic housing allocations, the Council therefore consider that it would be better to rely on the relevant policies in the Plan. This would require developers to

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

refer to the latest evidence of outdoor sports space to understand the potential contributions that will be required.

20. Is this approach justified and effective?

21. Is it clear from the policies in the Plan what level of new provision for outdoor sport, strategic housing allocations will be expected to provide?

22. Will the recently commissioned update to the Playing Pitch Strategy and Action Plan be able to inform the policies and proposals within this Plan?

Issue 5: Parking standards and vehicle charging points

Section 9 of Policy LPA07 refers to parking standards being included in a review of the Ensuring a Choice of Travel SPD, June 2010 (LOC009). However specific requirements for parking standards and vehicle charging point are not specified in the Plan.

The Council have indicated that the provision of vehicle charging points was subject to viability testing in the EVA. The EVA also assessed parking provision for new development on the minimum standards set out in Appendix 3 of the Council's existing Ensuring a Choice of Travel SPD (2010) (LOC009).

The Council has indicated that an update for this SPD is planned but that it will not be completed until after the Local Plan is adopted.

23. Is the policy effective and clear without the inclusion of the requirements for parking and vehicle charging point (possibly as an Appendix)?

24. Should the LP be more prescriptive in requiring charging points having regard to Section 9 of the Framework and the evidence base (EVA)?

25. Could the requirements set out in the existing SPD be referred to if the intention is to keep any future updates broadly similar?

Issue 6: Monitoring and Implementation

Appendix 4 to the Plan contains a monitoring framework. In response to preliminary questions, the Council indicated that it would put forward modifications to the monitoring framework in relation to five-year housing land supply, safeguarded land, targets and/or triggers for action/potential action, and contingencies.

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

26. Taking into account any modifications, is the Plan clear in indicating how the Plan's policies and proposals will be monitored?

27. Will the indicators in the monitoring framework be effective in monitoring the success of the Plan's policies and proposals?

Paragraph 33 of the Framework and the Local Planning Regulations require that policies in LPs should be reviewed to assess whether they need updating at least once every five years. Notwithstanding these requirements, there may be a need, due to a significant change in circumstances, to update the LP before five years.

28. Is the LP clear as to when a need to update the Plan before five years would be triggered, for example, for reasons relating to the delivery of housing?

29. Is the Plan clear as to which SPDs will be updated and prepared to provide guidance on the implementation of the Plan?

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Session 12 – 09.30 Thursday 24 June 2021 Potential Review Session

The purpose of the session is to consider how issues raised in the hearing sessions part of the Examination will be taken forward and to discuss how the Examination will proceed hereafter.