

ST HELENS BOROUGH LOCAL PLAN 2020—2035 EXAMINATION

Agenda
Session 10 – 09.30 Friday 18 June 2021
Matters 8 & 9
8 - Minerals Policies
9 - Generic Policies

This matter considers minerals and waste policies and generic policies of the LP not covered under other matters.

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, LPD10

Main Evidence Base

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

SHBC010 - St Helens Local Plan Draft Schedule of Modifications

Examination library link

<https://www.sthelens.gov.uk/planning-building-control/planning-policy/local-plan/local-plan-examination-library/>

Participants

Please refer to the latest Hearings Programme (INSP009C)

Statements

St Helens Borough Council

Barratt Homes

Bold Action Group

Home Builders Federation

KFC (GB) Ltd

Mineral Products Association Ltd

Peter Astles Our Local Voice

Taylor Wimpey

Main Modifications relevant to the session: MM036, MM037, MM041-MM049

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

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national needs' so that it is consistent with paragraph 204 of the Framework (SHBC002 – Matter 8) (MM036).

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

1a. Are Sections 1 and 4 of Policy LPC14 and paragraph 7.30.6 of the reasoned justification consistent with national policy (Section 17 of 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 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?

3a. Are the requirements for 'affordable warmth' within Policy LPA11 justified, effective and consistent with national policy?

3b. Is the reference to 'processes' within Policy LPA11 effective?

3c. Are the requirements of Section 4 of Policy LPA11 and Sections 3 and 4 of Policy LPD10 (relating to hot food takeaways) positively prepared and justified having regard to the evidence base?

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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?*

5a. Is the reference to a Nature Conservation Supplementary Planning Document in Policy LPC06 (MM001) positively prepared, effective 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)?*

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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?*

7a. In particular is Policy LPD01 (as modified) clear to the decision maker?

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?*

The Council implies that the reference to fast broadband within Policy LPD07 repeats the requirements of the Building Regulations and that it is willing to review that part of the policy that relates to contributions to off-site broadband infrastructure..

8a. What modifications, if any, does Policy LPD07 require so that it is positively prepared, justified and effective?

Actions arising from the hearing session