



St Helen's Local Plan Examination

Lovell Partnerships Ltd's Response to Matter 5 – Housing Land Supply

Land at Chapel Lane

On behalf of Lovell Partnerships Ltd.
May 2021

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1. INTRODUCTION

- 1.1 This Hearing Statement has been prepared by Asteer Planning on behalf of Lovell Partnerships Limited ('Lovell') in relation to **Matter 5 – Housing Land Supply**. Lovell are working closely with the landowners (previously promoting the site) and have an agreement in place to promote the land at Chapel Lane, Sutton Manor ('the site') which is proposed to be removed from the Green Belt and designated as a safeguarded site for housing (Site 6HS) through the Local Plan (Policy LPA06: Safeguarded Land).
- 1.2 This Hearing Statement is issued following the conclusion of Week 1 Hearings in respect of Matters 1, 2 and 3 (25-27 May 2021). In the Matter 2 and 3 sessions, we identified two overarching soundness failures in respect of (a) affordable housing provision and (b) housing land supply. Lovell's proposed development is a direct response to both.
- 1.3 Lovell are seeking to bring forward a high quality, sustainable residential development for 100% affordable housing on the site, delivering approximately 150 affordable homes early in the plan period through its joint venture partnership (Lovell Together) with Together Housing Group, a Registered Social Landlord. Lovell – Together Corporate Joint Venture LLP is an existing special purpose vehicle under which this site would be delivered. Together Housing Group are a Homes England Strategic partner and have an existing £53m of Homes England grant allocation secured to give greater certainty on delivery.
- 1.4 It is proposed that the site will deliver 50% affordable rent and 50% shared ownership using existing grant funding. As a consequence of the funding, the site is highly deliverable and would make a significant positive contribution towards meeting both affordable housing and overall housing needs early in the Plan period.
- 1.5 Lovell are requesting main modifications to Policy LPA05 (Meeting St.Helens Borough's Housing Needs) and Policy LPA06 (Safeguarded Land) to convert the safeguarded site allocation back into a full allocation. This would effectively return the site to the status it held in the draft development plan documents as recently as 2017 as set out in previous representations made at Preferred Options stage. The site is located adjacent to the settlement boundary of the St Helens Core Area, identified by Policy LPA02, as supplemented by the Council's submission as the most sustainable location for growth – and the appropriate location to address major current issues of deprivation.
- 1.6 Matter 5 of the Inspectors' Matters, Issues and Questions ('MIQs') considers how the housing requirement will be met; whether those means of meeting the requirement have been justified and will be effective; and whether SHMBC will have a 5-year housing land supply (HLS) on adoption of the Local Plan.

- 1.7 This Statement responds directly to the Inspectors' MIQs, however, it should be read in conjunction with previous representations issued on these issues, including many by other parties that have identified significant flaws in the Council's claimed housing land supply. Where relevant, the comments made are assessed against the tests of soundness established by the National Planning Policy Framework ('NPPF'), as supplemented by the National Planning Practice Guidance ('PPG').
- 1.8 This Statement focusses upon the provision of 5 year housing land supply, for the purposes of NPPF paragraph 67 and NPPF paragraph 73. However, it also addresses the question of affordable housing supply as a component of that overall supply. As explained at the Matter 2 hearing, in response to Q6f, the plan assessed as a whole, will not make sufficient provision to meet affordable housing needs, especially taking into account under-provision since 2016. The twin soundness failures are inextricably linked.
- 1.9 Separate representations are being submitted in respect of the following matters and should be read in conjunction with this Statement:
- Matter 1 – Introduction to the Hearings, Legal Compliance, Procedural, Requirements, and the Duty to Cooperate;
 - Matter 2 - Housing and Employment Needs and Requirements;
 - Matter 3 – Spatial Strategy and Strategic Policies;
 - Matter 4 – Allocations, Safeguarded Land and Green Belt Boundaries; and,
 - Matter 7 - Specific Housing Needs and Standards.

2. LOVELL'S RESPONSE TO MATTER 5

- 2.1 This section of this statement sets out the relevant Matter 5 issues and questions within the Inspectors' MIQs to which Lovell wishes to provide a response, including identifying elements/issues that render the plan unsound in the context of paragraph 35 of the NPPF, and how these should be resolved to make the plan sound.

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)?

- 2.2 The Council published its draft Main Modifications to the Local Plan in May 2021 (SHBC010). Within this document a modification is proposed (MM007) to update Table 4.6 (Housing Land Supply) of the Local Plan to show the Council's most up to date housing supply position and to represent the position up to 2037. The proposed modification involves inserting Tables 5.2, 5.3, 5.4 and 5.5¹ into the Plan.
- 2.3 Avison Young's have produced a Housing Land Supply Report at **Appendix I** which scrutinises the proposed Tables. Our conclusion (which we understand to be common to a number of Examination participants) is that the proposed figures need substantial adjustment. They will not show a five-year housing land supply at the point of adoption.
- 2.4 In the text below, we shall refer to the numbers of Tables in both SHBC007 and our own Housing Land Supply Report.

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?

- 2.5 See response to Question 1 above.

3) Is the small sites allowance of 93 dpa justified by compelling evidence (see paras 4.10 to 4.13 of SD025)?

- 2.6 Lovell does not object to Council's proposed small sites windfall allowance of 93 units per annum in the light of evidence of past delivery (see Avison Young's Housing Land Supply Report at Appendix I, paragraph 6.127).

¹ Contained at Annex 3 of SHBC010

5) Should empty homes be included as a component of supply?

- 2.7 Empty homes (aka vacant dwellings) can make a contribution to supply. However, as the Council notes in the Plan's paragraph 4.18.17, it has not included an assumed contribution to the overall supply of housing from trends in the numbers of vacant dwellings. This is largely due to the fact that the Council has only limited control over the overall number of vacant dwellings, which is affected by landowner decisions and other factors. Lovell agrees with this approach.

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)?

- 2.8 The Council's latest published position (SHBC007) is that there will be a residual requirement of 7,132 dwellings over the plan period (Table 5.2 / AY Table 13).
- 2.9 SHBC007 Table 5.5 (AY Table 16) shows that there will be a total housing supply over the plan period of 7,831 dwellings.
- 2.10 The Council's claimed figure provides some flexibility, but the difference is just 699 dwellings across the entire plan period.
- 2.11 Furthermore, a large proportion of this supply (2,020 dwellings) is to be provided from allocated sites to be removed from the Green Belt (Sites 1HA, 2HA, 4HA, 5HA, 7HA and 8HA).
- 2.12 Several of these site allocations are large and have an indicative capacity of 300 or more dwellings and are therefore defined as 'strategic allocations' (2HA, 4HA, 5HA). The Council's own trajectory (SHBC007) acknowledges that these strategic sites will not start to deliver until later in the plan period (2HA - 2027/2018; 4HA – 2030/31 and 5HA 2025/26).
- 2.13 With any such strategic sites, there are a number of risks / potential delays to delivery such as masterplanning, land assembly, infrastructure and viability considerations. As such, in the context of this risk and the fact that these sites are already expected to deliver later in the plan period, if any one of these strategic sites do not come forward as planned, flexibility currently built into the supply would be wiped out resulting in an insufficient plan period housing land supply.
- 2.14 As a result, the Council should be building more flexibility into the supply by allocating deliverable sites, such as the Chapel Lane site now.
- 2.15 At the Matter 1 and Matter 2 hearing sessions, a number of participants put forward robust and compelling evidence for the need for an uplift to the housing requirement.

- 2.16 Lovell have not identified a precise figure for an uplift over full plan period. We maintain the position set out in the Tetlow King Statement that there is an urgent need to address affordable housing under-provision since 2016. Lovell's position is therefore aligned with that of a number of participants that an increase is merited to at least 570dpa, as per earlier versions of the Submission Local Plan. We make no further submissions on the precise figure above that.
- 2.17 Moreover, as Tetlow King have set out [Tetlow King Affordable Housing Supply Report, Figure 5.4], there is no robust evidence to consider that all of Affordable Housing Zones 1, 2 and 3 will deliver the requisite amount of affordable housing.
- 2.18 Even participants who support the Council's approach overall, such as Lichfields on behalf of Taylor Wimpey, have stated that an uplift "may therefore be justified in order to help meet a greater level of affordable housing need" (see TW/Lichfields Matter 2 Statement, page 7, [2.34]-[2.35]).
- 2.19 When the housing requirement is increased, all flexibility disappears. This is the inevitable consequence of setting the requirement too low.

7) Is the flexibility in housing supply provided by the Green Belt sites justified?

- 2.20 Please see Lovell's response to question 6 above.

8) Would greater certainty be provided within the Plan if SHLAA sites (or the larger sites) were to be allocated (see SHBC001 – PQ52)?

- 2.21 In its response to PQ52 (SHBC001) the Council does not consider that greater certainty would be provided by allocating more SHLAA sites (or the larger sites) as many large sites counted in the SHLAA supply have an existing planning permission which in itself offers a high degree of certainty. It also notes that there would need to be an update to the SA and HRA for additional proposed allocations and updates to Policies LPA05 and LPA05.1. It goes on to state that the proposed approach for SHLAA sites to form part of the housing land supply alongside specific allocations, is an approach that has been found sound in various other Local Plans, for example in the Sunderland and Sefton Local Plans.
- 2.22 Lovell strongly refutes this Council's claim that the fact that SHLAA sites in the supply have existing planning permission offers a high degree of certainty.
- 2.23 Avison Young's HLS Report (**Appendix I**) addresses this in full.
- 2.24 Many of the large SHLAA sites included within the Council's trajectory have planning permission, however many of these permissions have expired and therefore are not deliverable in the context of the NPPF and PPG. Moreover, the Council claims 602 dwellings

in its 5YHLS from sites that have planning permission but have not yet started. This demonstrates the futility of relying on such sites within the supply.

- 2.25 Avison Young's analysis demonstrates that the more realistic figure is just **186** dwellings from such sites, which represents a reduction of -416 dwellings².
- 2.26 SHLAA sites should not be allocated through the Local Plan, particularly at this late stage in the context of a significant lack of deliverability evidence.
- 2.27 Instead, in order to provide more flexibility, the Council should first look to proposed safeguarded sites in the most sustainable locations, such as the Chapel Lane site, which is deliverable in its entirety (as demonstrated extensively in Lovell's response to Matter 4) within the first 5 years of the plan period.

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?

AND

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)?

- 2.28 In its response to **PQ50 - Why has a lapse rate not been included for those sites with planning permission?** (Examination Document ref: SHBC001) the Council states that an allowance of 15% has been made for reduced delivery on the SHLAA sites over the later years of the Plan period (6-15 years).
- 2.29 It also states that a lapse rate has not been applied to sites with planning permission expected to be under construction in years 0-5 years. The stated explanation is that these sites are considered deliverable and the majority of sites with planning permission in the Borough consistently commence on site.
- 2.30 We disagree. A lapse rate should be applied to sites with planning permission across the whole plan period, not just the later years. As demonstrated in Avison Young's Housing Land Supply Report (May 2021) (**Appendix I**), the Council's claimed trajectory is not robust. There are a number of sites which had planning permission but these have now lapsed and the sites can therefore not be considered deliverable. The Council's claimed supply includes a contribution of 1,322 towards the 5 year supply from large sites (AY Housing Land Supply Report, Table 31), However a more realistic assessment is that this contribution will be just

² Appendix I - Table 31

669 dwellings, a difference of **-653** dwellings. A lapse rate should therefore be applied to this full category.

b) Is the evidence about the delivery of SHLAA sites contained within the SHLAA together with SD025 and SHBC004 robust?

- 2.31 The Council's housing trajectory set out in SD025 initially claimed to be a deliverable supply of housing land of exactly **5.0 years**. That was obviously an extremely precarious position, without much precedent at plan examinations in the NPPF era.
- 2.32 Following the publication of the Inspectors PMIQs (INSP003), in February 2021, the Council then published its response to the PMIQs (SHBC004) which included a revised trajectory at Appendix 2. The Council's claimed 5YHLS had reduced to **4.91 years (Appendix I – table 8)**.
- 2.33 In May 2021, the Council published its updated employment and housing land supply position statement (SHBC007) which included a further revised trajectory at Appendix 1. This is the Council's latest published position and it is now claiming just a **4.6 year** 5YHLS.
- 2.34 The decline in the housing trajectory from SD0025 to SHBC004 to SHBC007 demonstrates a clear lack of robustness in the Council's evidence base and in its approach overall. However, the deductions do not go nearly far enough.
- 2.35 The Council's evidence at this stage of the Examination of the Local Plan is limited to the following:
- The 2017 SHLAA;
 - The HNSBP (SD0025);
 - The updated SHLAA site assessments and trajectory provided in SHBC004 on 1 March 2021;
 - 'Updated Employment and Housing Land Supply Position as of 31.03.2021' (SHBC007). The Council states (page 3) that this document "contains all the latest housing figures and information with regard to the housing supply and trajectory for the plan period, and the 5-year land supply."
- 2.36 Avison Young has analysed the Council's claimed trajectory from 'Large Sites' in the context of the NPPF and relevant excerpts from the PPG.
- 2.37 Such sites should 'only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.'

- 2.38 Paragraph 007 of the PPG³ sets out examples of the type of evidence that can be used to demonstrate deliverability of sites. Although the list is not closed, it is a very strong indicator of what can legitimately be considered robust, consistent with national policy. The Council directly refer to this paragraph in their own HSNBP (Paragraph 4.25).
- 2.39 When the NPPF test and PPG guidance is applied, it becomes clear that the Council are not able to demonstrate delivery in the first five years of the plan period (2021/22 – 2025/26). Several sites should be removed in full from the 5YHLS. For others, the number of dwellings should be reduced. These are listed in Avison Young's HLS Report at Chapter 5.
- 2.40 It is also worth noting that the Council stated in its response (SHBC00-1) to the Inspectors Preliminary Questions that (AY emphasis) in bold:

*"It is recognised that there is a spike in the 2025/26 and 2026/2027 years as this is when the proposed Local Plan allocations (from the Green Belt supply) start to feature more considerably in the supply once appropriate lead-in times have been allowed for. Such a spike is also reflective of the fact that the Council has been cautious when assessing sites as deliverable, **and there are therefore a number of sites in the 6-10 year period that do not have any significant site constraints preventing them from coming forward within the 0-5 year period, but because they do not currently have a planning permission or are not being promoted actively through the development management process yet, they have not been counted in the 5 year supply. Instead they are considered developable and are counted in the 6- 10 year period.** Other sites are in the 6-10 year period as a result of discussions with landowners, site promoters and stakeholders and assumed delivery is based on evidence of likely lead-in times and infrastructure requirements (particularly for the proposed allocations from the Green Belt supply). The spike is therefore considered realistic, but it will be reconsidered as part of the updated SHLAA site assessment referred to above."*

- 2.41 Whilst Lovell acknowledges that the apparent spike in delivery referred to has been somewhat 'smoothed out' in the Council's latest trajectory, despite this statement, the Council has indeed included sites in its claimed 5YHLS that do not have planning permission or are being actively promoted through the DM process.

e) Are lead in times and build out rates realistic?

- 2.42 Lovell's detailed comments on the Council's approach to lead in times and build out rates are set out at Chapter 5 of Avison Young's HLS Report (**Appendix I**) and are summarised below.

³ Reference ID: 68-007-20190722

- 2.43 The Council's assumed lead-in times are based on the 2017 SHLAA methodology: 1.5 years for sites with full permission / reserved matters, 2 years for sites with outline permission and 2.5 years for sites without permission.
- 2.44 In our experience, a blanket 2-year lead-in time for sites with outline permission, and a blanket 2.5 year lead-in time for sites without permission is too simplistic and is therefore not realistic. In many cases, the Council has used longer lead-in times (compared to those set out at Table 17) for several of the 'Large Sites' within its claimed supply without any clear explanation of why. There is not a clear pattern of whether and how the Council's lead-in time assumptions have been applied to sites. Specifically, it is not clear whether the Council has applied lead-in time assumptions or has based its trajectory for any given site on other specific 'evidence' (i.e. information from Developers).
- 2.45 We do not object to build-out rates specifically. The Council's assumptions seem reasonable and in-line with typical build out rates that we have experienced and these build-out rate assumptions appear to have been applied to the Council's latest claimed trajectory in a reasonable way.

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)?

- 2.46 In its response (SHBC001) to **PQ54**, the Council justified the spike in delivery post 2025 on the basis that this is a result of the proposed Local Plan allocations (from the Green Belt supply) starting to feature more considerably in the supply once appropriate lead-in times have been allowed for. Other sites are in the 6-10 year period as a result of discussions with landowners, site promoters and stakeholders and assumed delivery is based on evidence of likely lead-in times and infrastructure requirements.
- 2.47 As set out in the Council's latest trajectory (SHBC007), the spike in delivery has changed since the MIQs were published, with the spike now occurring later in 2027/28 (890 dwellings) and 2028/29 (733 dwellings).
- 2.48 Despite delivering 775 dwellings and 758 dwellings per year in 2018/19 and 2019/20 respectively, past trends show St Helens' housing delivery to be closer to 400/500 – for example in 2016/17 487 dwellings were delivered and in 2017/18 408 dwellings were delivered. Clearly, both 2018/19 and 2019/20 were very strong years in terms of housing delivery when compared to previous years, however both still fall far short of the annual target of 890 suggested for 2027/28. That target is simply not realistic.
- 2.49 Furthermore, as set out in SHBC007 (Appendix 1: Local Plan Updated Housing Trajectory'), the majority of this supply (490 dwellings of the total 890) is anticipated to yield from 'Other Supply' i.e. SHLAA sites and sites with planning permission and under construction, rather than there being a big uplift from allocations.

- 2.50 Avison Young has analysed the Council's claimed trajectory from 'Large Sites' in the context of the NPPF, the PPG, and the evidence (or lack of) that the Council has produced to demonstrate deliverability, noting that the Council has indeed included sites in its claimed supply that do not have planning permission or are being actively promoted through the DM process. In the context of past delivery trends and the claimed source of supply, it is Lovell's view that the significant spike in delivery in the Council's trajectory is therefore unrealistic and has not been justified.

Issue 3: Five Year Housing Land Supply

11) Is the use of a 5% buffer to calculate the housing land supply position appropriate?

- 2.51 The Council has applied a 5% buffer to its 5-year housing requirement. In its response to PQ56 in document SHBC001, the Council contends that the use of a 5% buffer is appropriate and that any shortfall in supply will be spread over the next 5 years (the Sedgefield approach).
- 2.52 The Council's approach is not consistent with NPPF 73-74 and PPG 68-010 and 68-022.
- 2.53 The latter paragraphs makes clear that "*10% - the buffer for authorities seeking to 'confirm' 5 year housing land supply for a year, **through a recently adopted plan***"
- 2.54 Policy LPA05 of the submitted Local Plan refers expressly to maintaining an adequate supply and any "buffer required under national policy"
- 2.55 The supporting text (Paragraph 4.18.21) to LPA05 also refers to such buffers.
- 2.56 The Council 's Draft Schedule of Main Modifications (SHBC010) (17 May 2021)_ itself sets out modifications to its monitoring framework for Policy LPA05 which includes the following 'potential action of contingency' should the Council have 'fewer than 5 years' supply (plus the required buffer) of housing land:
- Consideration of the barriers to delivery of sites after permission is granted, and working with partners to overcome them;
 - Consideration of whether sufficient planning permissions are being granted (and within statutory time limits);
 - Seek to maintain an appropriate mix of sites to sustain delivery;
 - Use proactive pre-application process to speed up the application process;
 - Seek funding to unlock brownfield sites to boost the housing supply;

- Consider early review of the Local Plan if there is long term underperformance against the 5 year supply.

2.57 As the Council is seeking to confirm its 5 year housing land supply through the adoption of the plan, they must apply a **10% buffer** to the housing requirement.

12) Is the inclusion of 465 units from small sites in the 5-year supply justified?

2.58 Please see Lovell's response to Question 3 above. Lovell considers the Council's proposed small sites windfall allowance of 93 units per annum (and therefore 465 units over the first 5 years) to be justified.

13) Generally, are the assumptions about the delivery from commitments, SHLAA sites and allocations within the 5-year supply realistic?

2.59 Please refer to Lovell's response to question 9 and 10 (a-f) above.

14) Are lead in times and build out rates within the 5-year supply realistic?

2.60 Please see Lovell's response to Question 10e) above.

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.

2.61 In its response to PQ55 in document SHBC001, the Council states that it could consider stepping the housing requirement whereby there is a slightly lower level of housing delivery for the first 5 years of the Plan period (with a lower annual requirement) and then an increased annual requirement over the remaining years of the Plan.

2.62 This would not be consistent with PPG 68-021 or with the NPPF Chapter 5 generally.

2.63 In summary:

- i) There is not a significant change in the level of housing requirement between emerging and previous policies. In fact, there is a lower proposed housing requirement, from the adopted Core Strategy housing requirement of 570 dwellings per annum to the proposed emerging housing requirement of 486 dwellings per annum;
- ii) The Council is not proposing phased delivery from its strategic sites. In fact, following the latest update (SHBC007), the Council expects several of the proposed allocations to deliver earlier in the plan period than it did in its previous trajectories.

2.64 There is no justification for pursuing a stepped housing requirement.

- 2.65 To ensure that a 5-year supply can be demonstrated upon adoption of the plan, the Council should allocate additional deliverable sites in the most sustainable locations now, such as the Chapel Lane site.

16) Will there be a five-year supply of deliverable housing sites on adoption of the LP?

- 2.66 Please see Lovell's response Question 10b above. The short answer is no.
- 2.67 Indeed, the Council's claimed 5 year housing land supply position has progressively worsened since the Local Plan was submitted to the point where its latest claimed supply (SHBC007) is now just **4.6 years**. That decline adverts to deeper problems in the robustness of the evidence base.
- 2.68 The correct position, applying NPPF and PPG guidance, is in fact much worse. Specifically:
- A **10% buffer** should be applied, and therefore an annualised requirement of **535** applies to the first 5 years of the plan period; and,
 - Following Avison Young's detailed analysis of the claimed supply from 'Large Sites', the total deliverable supply figure is **1,709 dwellings** (a reduction of **-653** from the Councils claimed supply).
- 2.69 Therefore, the Council can only realistically demonstrate a **3.2 year** supply of housing land upon adoption of the plan, generating a total shortfall of 964 dwellings.
- 2.70 Policy LPA05 explicitly requires that there is a deliverable supply of housing that is sufficient to provide at least 5 years' worth of new housing development against the housing requirement. Further, if annual monitoring demonstrates the deliverable housing land supply falls significantly below the required level, then a partial or full plan review will be considered to bring forward additional sites.
- 2.71 A Local Plan review would therefore be required immediately upon adoption of the Plan. This is clearly not a sound approach to plan making. It is directly contrary to NPPF 59, 68 and 73, and the broader provisions of NPPF 11b, 20 and 35a-d.
- 2.72 In order to ensure that a 5-year housing land supply can be demonstrated and thus avoid an immediate review of the Local Plan, the Council must allocate additional deliverable sites now, such as the Chapel Lane site.

Affordable Housing as a Component of Housing Land Supply

- 2.73 The Council's failure to demonstrate a deliverable 5YHLS has significant ramifications in respect of affordable housing as well, as a component of the overall housing land supply and is contrary to NPPF 61.

- 2.74 As set out in detail in Lovell's response to Matter 2, Tetlow King have undertaken a detailed analysis of affordable housing need in St Helens in the 'Affordable Housing Need Statement (Appendix I to Lovell's response to Matter 2).
- 2.75 Taking into account backlog needs accrued since 2016, Tetlow King identified a clear need for at least 176 net affordable homes per annum for the first five years of the plan period (Total 880 units).
- 2.76 Since submission of the Affordable Housing Need Statement, the Council has extended the period of the Plan to 2037 and provided a figure of 276 affordable dwellings as being those completed in the monitoring period 2020/2021. On this basis, the annual net need is now 144 dwellings per annum.
- 2.77 In the context of this identified affordable housing need, Tetlow King has also undertaken an analysis of affordable housing supply within its Affordable Housing Supply Statement (May 2021) contained at **Appendix II**.
- 2.78 This Statement assesses the realistic supply of affordable housing in the Borough for the period 2021/22 to 2036/2037, including large sites within the trajectory and the proposed allocations and also taking into account commuted sums and Right to Buy (RTB) losses.
- 2.79 Even where sites are delivering affordable houses, the greatest numbers would not be delivered until the latter part of the trajectory period.
- 2.80 When considering future affordable housing delivery against the expected delivery undertaken by the applicants, the Council would make a **loss** in the number of gross affordable dwellings per annum, over the next five years (-7 or -50) and over the length of the Local Plan period would make either a very marginal gain or a greater loss of affordable dwellings (+41 or -63).
- 2.81 Clearly these future supply figures fall significantly short of the 144 per annum figure (720 over the first five years) required when backlog needs are addressed in line with the Sedgfield approach, and the 117 per annum figure for the remaining plan period, once the backlog has been dealt with in the first five years.
- 2.82 When average losses as a result of the RTB are taken into account, it is clear that the Council is facing a bleak prospect of delivering very few additional affordable dwellings and is not in any meaningful way seeking to boost the supply of affordable housing, based on Tetlow King's analysis of the available sites.
- 2.83 In order to address this critical issue, the Council must allocate sites which can deliver affordable housing early in the plan period. As set out in detail in Lovell's response to Matter 4, the Chapel Lane site offers a rare and unique opportunity to deliver a 100% affordable

scheme, contributing to meeting the Borough's critical affordable housing needs through an already established joint venture between a reputable housebuilder and RP.

- 2.84 Should the Chapel Lane site be allocated in the Local Plan, Lovell will submit a full planning application immediately upon adoption of the Local Plan (anticipated in December 2021). The indicative timescales set out at **Appendix III** demonstrate that this would lead to delivery starting in September 2023 with full delivery from 1st October 2023 (i.e. two full quarters of delivery in the 2023/24 monitoring year).
- 2.85 Furthermore, the Council has used an assumption of 40 dwellings per annum for housing allocations released from the Green Belt, which would result in the delivery of 120 units in 3 years.
- 2.86 Unlike the 10 proposed housing allocations, which are expected to deliver market housing (with just a modest proportion of affordable based on policy requirements and/or viability considerations), the Chapel Lane site will deliver 150 no. (100%) affordable dwellings. This means that, as set out at **Appendix III** and based on the lead-in times and delivery rates expected, the site will deliver the entire 150 dwellings well within the first 5 years of the plan period.

Issue 4: The wording of Policy LPA05

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

- 2.87 Please refer to Lovell's response to question 16 above.
- 2.88 Policy LPA05 as worded will not be effective in maintaining delivery through the plan period unless the Council is able to demonstrate a 5-year supply.

Comments on Soundness in respect of Matter 5

- 2.89 When considering the tests of soundness set out in Paragraph 35 of the NPPF in the context of Issue 3 of Matter 5, the Plan as submitted is not sound for two fundamental reasons:
- Firstly, in the context of Paragraphs 67 and 73 of the NPPF, the Council is unable to demonstrate a 5 year supply of housing land upon adoption of the Local Plan; and,
 - Secondly, the Council's approach to delivering affordable housing will fall substantially short of meeting the over-riding current need for affordable housing in the context of NPPF Paragraph 61 and Paragraph 2 of the PPG⁴).
- 2.90 These are simply not issues that can be addressed through a statutory review of the local plan (full or partial) after 5 years.
- 2.91 Furthermore, in accordance with the requirements of Policy LPA05 as drafted (including the Council's proposed schedule of Main Modifications in SHBC010), a Local Plan review would be required immediately upon adoption of the Plan. This is clearly not a sound approach to plan making.
- 2.92 In order to ensure that the plan is sound, the Council must allocate additional deliverable sites now. The Chapel Lane site will deliver the entire 150 dwellings within the first 5 years of the plan period.
- 2.93 Furthermore, in order to address the current affordable housing crisis, which will only be exacerbated by the Council's proposed approach to the provision of affordable housing, the Council must allocate deliverable sites that will provide a significant proportion of affordable housing, particularly in the areas of the Borough adjacent to the St Helens Core Area which is the greatest area of deprivation, and the most sustainable location in the Borough as acknowledged by the Council at the Matter 3 hearing session.

⁴ Reference ID: 2a-024-20190220

**APPENDIX I – AVISON YOUNG’S HOUSING LAND SUPPLY REPORT
(MAY 2021)**

Housing Land Supply Report

Land at Chapel Lane, St Helens

May 2021

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For and on behalf of Avison Young (UK) Limited

1 Introduction

- 1.1 This Report has been prepared by Avison Young ('AY') on behalf of Lovell Homes ('Lovell') in the context of its interest in land at Chapel Lane, Sutton, St. Helens ('the site'). It forms an Appendix to a Hearing Statement submitted in respect of Matter 5, but is of relevance to issues addressed across a number of main matters, including 2, 3, 5 and 7.
- 1.2 This Report should be read in conjunction with the Affordable Housing Statement (April 2021) ("Tetlow King Requirement Statement") (attached to M2.14), and Affordable Housing Supply Statement (May 2021) ("Tetlow King Supply Statement").
- 1.3 The report conducts an analysis of the Council's claimed supply of housing land in its submitted Local Plan, with a particular emphasis on the likely delivery of housing over the first 5 years of the plan period.
- 1.4 The Tetlow King Supply Statement provides a detailed analysis of the likely delivery of affordable housing from the Council's claimed supply to assess how effective the Council's strategy for delivering affordable housing through the Local Plan will be.
- 1.5 As set out in further detail at Section 4, the Council's claimed housing land supply comes from:
- Completions;
 - Housing allocations;
 - Large sites with and without planning permission (including those identified in the Strategic Housing Land Availability Assessment (SHLAA)); and,
 - Windfall' development, including development on small sites not individually identified in the SHLAA, sub-division of dwellings and conversions / changes of use.

2 Local Plan Examination

- 2.1 Before addressing the specific requirement and supply figures, it is necessary to consider the progress of the Local Plan up to the hearing stage, including the Council's recent and respectfully, very late-stage, explanation of their position on these matters.
- 2.2 SHMBC initially intended to submit the Submission Draft Local Plan for examination in early 2020. This was delayed. The main reason for this delay was that the Council was considering the implications that its new regeneration partnership with the English Cities Fund (ECF) would have on the contents of the Local Plan.
- 2.3 In a report to Cabinet on 23rd September 2020, the Council confirmed that it intended go ahead with the submission of the Local Plan as currently drafted (i.e. in line with the Submission Draft) with no changes to the housing numbers, allocations or evidence base.
- 2.4 The St Helens Local Plan was then submitted to the Secretary of State for Independent Examination on Thursday 29th October 2020.
- 2.5 Planning Inspectors Mark Dakeyne BA (Hons) MRTPI and Victoria Lucas LLB MCD MRTPI were appointed on the 5th November 2020. An Examination Guidance note, and the Inspector's Initial Matters, Issues and Questions were published, and the hearing sessions opened on Tuesday 25th May 2021, the first week of sessions taking place between 25-27 May and subsequent weeks taking place on 8-10 June, 15-18 June and 22-24 June.

Preliminary Matters, Issues and Initial Questions January 2021

- 2.6 In early January 2021, the Inspectors wrote to the Council setting out a set of Preliminary Matters, Issues and Initial Questions (PMIIQs)(INSP003) asking for an initial response by 29th January and a further response, on matters which may take more time to prepare, by 16th February 2021. Matter 5 concerns 'Housing Land Supply'.
- 2.7 The Council responded (SHBC001) to the PMIIQs on 1st February 2021. This response included an indication from the Council that it would provide a further response by 26th February 2021 in relation to the Inspectors' request for further evidence on the deliverability of SHAA sites (Question PQ51 in PMIIQs).
- 2.8 The Council provided 'further evidence on housing supply, including updated SHLAA site assessments (SHBC004) on 1 March 2021. This included:

- Updated SHLAA site assessments;
- An updated trajectory; and,
- A composite spreadsheet of housing delivery over the plan period.

Matters, Issues and Questions March 2021

2.9 On 3rd March 2021, the Inspectors issued their schedule of Matters, Issues and Questions (MIQs)(INSP007). This document and the content therein will form the basis of the planned hearings sessions and Matters. As with the PMIIQs, Matter 5 concerns 'Housing Land Supply'.

2.10 Regarding Matter 5 and in the context of this housing land supply report, the Inspectors summarised the Council's responses to the PMIIQs (SHBC001 and SHBC004) as:

- *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.*

Updated employment and housing land supply information document May 2021

2.11 On 12th May 2021, the Council published a further document titled 'Updated Employment and Housing Land Supply Position as of 31.03.2021' (SHBC007). This Council states (page 3) that this document "contains all the latest housing figures and information with regard to the housing supply and trajectory for the plan period, and the 5-year land supply."

2.12 The document contains the following which cover the first three of the Inspectors' summary bullets at 2.9 above:

- A Local Plan Updated Housing Trajectory (2021-2037)
- A Local Plan 5 Year Supply Position as of the 31st March 2021; and,

- An update of Policy LPA05 Table 4.6 of the LPSD (previously updated in the Housing Need and Supply Background Paper (SD025), Tables 5.2-5.5, to provide the position as at 31 March 2020)

3 Housing Requirement

Overall Housing Requirement

Preferred Options Local Plan Housing Requirement (December 2016)

- 3.1 Within the Preferred Options Local Plan (December 2016) a housing requirement of 570 dwellings per annum was proposed which reflected the adopted Core Strategy figure based on ambitious, economic-led growth aspirations for the Borough.

Submission Draft Local Plan Housing Requirement

- 3.2 Policy LPA05 (Meeting St. Helens Borough's Housing Needs) of the emerging Local Plan proposes that a minimum of 9,234 dwellings be delivered from 1 April 2016 until 31 March 2035, at an average of at least 486 units per annum. 10 site allocations were identified to accommodate housing development within the Plan Period of which 4 were large brownfield sites in the urban area and 6 were to be removed from the Green Belt. Further details of the proposed allocations and a detailed assessment of each is set out at Chapter 3 of this Report.
- 3.3 The proposed housing requirement of 486 dwellings per annum is a significant reduction from the figure of 570 dwellings per annum that was proposed at Preferred Options stage. 486 represents only a minor uplift on the local housing need calculated using the Government's standard method (468 dwellings per annum) at the time the Submission Draft Local Plan was prepared in 2018. For context, using the current standard method today to calculate a figure for St Helens gives a starting point of 434 dwellings per annum between 2020-2030 (lower than the proposed requirement in the Submission Draft Local Plan).
- 3.4 What is clear is that at every stage of its production, the Local Plan has included a proposed housing requirement in excess of the local housing need calculated using the Government's standard method. In the PMIIQs (INSP003) (PQ29), the Inspectors have sought clarity on whether:
- "the reasons for increasing the requirement above the LHN constitute the exceptional circumstances referred to by paragraph 60 of the Framework and set out in the PPG?"*
- 3.5 In its response (SHBC001) - the Council has sought to justify the approach of a higher Local Plan housing requirement (compared to the local housing need figure) with reference to:

- needing more people and thus more housing in order to meet the Borough's economic potential, as set out in the St Helens Employment Land Needs Assessment (October 2015); and,
- The Practice Guidance which states (Reference ID: 2a-015-20190220);

"Where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point."

- 3.6 Overall, the Council's response to the Inspectors sets out its view that whilst fulfilment of economic growth strategies is a legitimate justification for a higher housing figure, there should ideally be a clear link between the evidence to support economic growth and housing growth and that the submission plan and evidence base does this. The Council also gives Leeds and Sunderland as examples of where economic-led housing numbers have also been tested, found sound and plans adopted.

Affordable Housing Requirement

- 3.7 The Tetlow King Affordable Housing Statement and Supply Statement address the Council's affordable housing need and how that need will not be met by the Council's currently proposed approach.

4 SHMBC's Claimed Housing Land Supply

- 4.1 The Council has provided several claimed housing land supply positions since it submitted the plan in October 2020. Each is set out in this section of the report

Claimed Housing Land Supply upon Submission of the Plan (October 2020)

- 4.2 At the point of submission of the plan, SHMBC's housing land supply position (base dated 31st March 2020) was set out within the SD0025 which forms part of the Local Plan evidence base and set out how the Council intended to meet the housing requirement set out in Section 3 above.

Plan Period Housing Trajectory

- 4.3 The HNSBP provided an update (compared to when the submitted plan itself was actually prepared) to the housing supply data (including the assessment of any additional sites that have come forward through the development management process since 2017). Appendix 1 of the HNSBP set out SHMBC's Housing Trajectory for 2020 – 2035 (as of 31st March 2020), with and without a 15% discount applied to years 6-15 of the SHLAA Supply and non-Green Belt allocations (3HA, 6HA, 9HA and 10HA). These trajectories are reproduced in Tables 4-6 below.
- 4.4 The total number of dwellings within the supply from 2020-2035 was 8,182; or 7,750 with the 15% discount applied to years 6-15 of the SHLAA Supply and non-Green Belt allocation (3HA, 6HA, 9Ha and 10HA).

Year	Allocated Sites	Other Supply (SHLAA and sites with planning permission and under construction)	Small sites allowance	Total Dwellings
2020/21	45	447	93	585
2021/22	45	197	93	335
2022/23	135	308	93	536
2023/24	180	294	93	567
2024/25	242	196	93	531
2025/26	305	63	93	461
2026/27	327	574	93	994
2027/28	350	344	93	787
2028/29	350	194	93	637
2029/30	359	106	93	558
2030/31	252	277	93	622
2031/32	240	188	93	521
2032/33	240	49	93	382
2033/34	240	0	93	333
2034/35	240	0	93	333
Total				8,182

Table 1 - Plan Trajectory 2020-2035 (HNSBP SD0025)

Year	Allocated Sites (-15% discount to years 6-15 for non-Green Belt site allocations 3,6,9 and 10ha)	Other Supply - 15% discount (SHLAA and sites with planning permission and under construction)	Small sites allowance	Total Dwellings
2020/21	45	447	93	585
2021/22	45	197	93	335
2022/23	135	308	93	536
2023/24	180	294	93	567
2024/25	242	196	93	531
2025/26	285	54	93	432
2026/27	307	488	93	888
2027/28	330	292	93	715
2028/29	331	165	93	589
2029/30	345	90	93	528
2030/31	238	235	93	566
2031/32	226	160	93	479
2032/33	226	42	93	361
2033/34	226	0	93	319
2034/35	226	0	93	319
Total				7,750⁸

Table 2 - Plan Trajectory 2020-2035 with a 15% Discount Applied to Years 6-15 of the SHLAA Supply and non-Green Belt Allocations (3HA, 6HA, 9Ha and 10HA) (HNSBP SD0025).

Five Year Housing Land Supply Position

- 4.5 Appendix 2 of the HNSBP set out the Council's 5-year housing requirement which added a 5% buffer over the first 5 years of the plan period, taking the annual requirement over the first five years to 2,552 dwellings (510 per year). This is shown in Table 3 below.

Local Plan 5 Year Housing Requirement	
Local Plan Annual Housing Requirement	486
Local Plan Housing Requirement 2016 - 2020	1944
Net Completions 2016 - 2020	2428
Housing Shortfall 2016 - 2020 (there has been an oversupply of 484 units)	0
Shortfall spread over next five years	0
Local Plan Housing Requirement 2020 - 2025 (486 x 5)	2430
Local Plan Housing Requirement 2020 - 2025 (5% buffer applied)	2552
Annualised Housing Requirement (2552/5)	510

Table 3 - SHMBC's Local Plan 5 Year Housing Requirement

- 4.6 In order to meet the requirement for 2,552 dwellings over the first five years of the plan period, the Council identified a supply of 2,554 made up from five different sources of supply:

- 1) Large sites – planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started);
- 2) Large sites - planning permission under construction (including SHLAA 2017 and new large sites with planning permission and under construction);
- 3) Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired);

- 4) Local Plan Allocations (including those previously counted as SHLAA sites, 3HA, 6HA, 9HA and 10HA); and,
- 5) Small sites allowance.

4.7 Table 4 sets out the Council's claimed supply from each of the 5 sources. supply of 2,554 dwellings.

Local Plan 5 year supply as of 31.03.2020	
Large sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started)	648
Large sites - planning permission under construction (including SHLAA 2017 and new large sites with planning permission and under construction)	526
Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired)	268
Local Plan Allocations (including those previously counted as SHLAA sites, 3HA, 6HA, 9HA and 10HA)	647
Small sites allowance (93 x 5)	465
5 year supply	2554
Number of years supply of deliverable housing land (2554/510)	5.0

Table 4 - SHMBC's 5 Year Housing Land Supply Position (as of 31st March 2020)

4.8 The Council's own assessment therefore claimed a supply of exactly 5 years **deliverable** housing land against the SHBLP housing requirement of 486 units per annum when allowing for Local Plan allocations.

Council's 'further evidence on housing supply, including updated SHLAA site assessments (SHBC004) - 1 March 2021

4.9 The Council then provided 'further evidence on housing supply, including updated SHLAA site assessments (SHBC004) on 1 March 2021. This included:

- Updated SHLAA site assessments;
- An updated trajectory; and,
- A composite spreadsheet of housing delivery over the plan period.

Plan Period Housing Trajectory

4.10 SHBC004 provided a further update to the housing supply data. Appendix 2 of SHBC004 set out SHMBC's Housing Trajectory for 2020 – 2035 (as of 31st March 2020), with and without a 15% discount applied to years 6-15 of the SHLAA Supply and non-Green Belt allocations (3HA, 6HA, 9HA and 10HA). These trajectories are reproduced in Tables 4-6 below.

4.11 The total number of dwellings within the supply from 2020-2035 was reported as 8,104; or 7,676 with the 15% discount applied to years 6-15 of the SHLAA Supply and non-Green Belt allocation (3HA, 6HA,

9Ha and 10HA). This represented reductions of 78 and 74 dwellings respectively compared to the previous claimed position in October 2020.

Year	Allocated Sites	Other Supply (SHLAA and sites with planning permission and under construction)	Small sites allowance	Total Dwellings
2020/21	45	447	93	585
2021/22	45	197	93	335
2022/23	135	301	93	529
2023/24	180	264	93	537
2024/25	242	181	93	516
2025/26	305	63	93	461
2026/27	327	557	93	977
2027/28	350	344	93	787
2028/29	350	195	93	638
2029/30	359	96	93	548
2030/31	252	277	93	622
2031/32	240	188	93	521
2032/33	240	49	93	382
2033/34	240	0	93	333
2034/35	240	0	93	333
Total				8,104

Table 5 - Plan Trajectory 2020-2035 (SHBC004 Appendix 2)

Year	Allocated Sites (-15% discount to years 6-15 for non Green Belt sites 3,6,9 and 10ha)	Other Supply - 15% discount (SHLAA and sites with planning permission and under construction)	Small sites allowance	Total Dwellings
2020/21	45	447	93	585
2021/22	45	197	93	335
2022/23	135	301	93	529
2023/24	180	264	93	537
2024/25	242	181	93	516
2025/26	285	54	93	432
2026/27	307	473	93	873
2027/28	330	292	93	715
2028/29	331	166	93	590
2029/30	345	82	93	520
2030/31	238	235	93	566
2031/32	226	160	93	479
2032/33	226	42	93	361
2033/34	226	0	93	319
2034/35	226	0	93	319
Total				7,676

Table 6 - Plan Trajectory 2020-2035 with a 15% Discount Applied to Years 6-15 of the SHLAA Supply and non-Green Belt Allocations (3HA, 6HA, 9HA and 10HA) (SHBC004 Appendix 2).

Five Year Housing Land Supply Position

Housing Supply 2020-2035 (as of 26.02.2021)		Number of dwellings
Deliverable 0-5 years	Large sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started)	656
	Large sites - planning permission under construction (including SHLAA_2017 and new large sites with planning permission and under construction)	526
	Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired)	208
	Local Plan Allocations (including those previously counted as SHLAA sites 3HA, 6HA, 9HA and 10HA)	647
	Small sites - allowance (93 x 5)	465
	Sub total	2502
Developable 6-10 years	Large sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started)	128
	Large sites - planning permission under construction (including SHLAA_2017 and new large sites with planning permission and under construction)	0
	Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired)	1127
	Local Plan Allocations (including those previously counted as SHLAA sites 3HA, 6HA, 9HA and 10HA)	1691
	Large sites - historically implemented but stalled	0
	Small sites - allowance (93 x 5)	465
	Sub total	3411
Developable 11-15 years	Large sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started)	0
	Large sites - planning permission under construction (including SHLAA_2017 and new large sites with planning permission and under construction)	0
	Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired)	279
	Local Plan Allocations (including those previously counted as SHLAA sites 3HA, 6HA, 9HA and 10HA)	1212
	Large sites - historically implemented but stalled	235
	Small sites - allowance (93 x 5)	465
	Sub total	2191
TOTAL		8,104

Table 7 - SHMBC's 5 Year Housing Land Supply Position (as of 31st March 2020) broken down by 5 year period (SHBC004 Appendix 2).

- 4.12 The Council did not provide an updated 5 year supply position in the SHBC004 document but using the Council's 5 year housing requirement in Table 3 above and the 5 year supply position in Table 7, the Council's 5 year supply position is as follows in table 8:

Local Plan 5 Year Housing requirement	
Local Plan Annual Housing Requirement	486

Local Plan Housing Requirement 2016-2020	1944
Net Completions 2016-2020	2428
Housing Shortfall 2016 -2020	0
Shortfall spread over next 5 years	0
Local Plan Housing Requirement 2020-2025 (486*5)	2430
Local Plan Housing Requirement 2020-2025 (5% buffer applied)	2552
Annualised Housing Requirement (2552/5)	510
Housing Supply 2020-2035 (as of 26.02.2021)	
Large sites - planning permission not started (including SHLAA 2017 sites that have since	656
Large sites - planning permission under construction (including SHLAA_2017 and new	526
Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has	208
Local Plan Allocations (including those previously counted as SHLAA sites 3HA, 6HA, 9HA	647
Small sites - allowance (93 x 5)	465
Total	2502
Number of years of deliverable housing land (2502/510)	4.91

Table 8 - SHMBC's 5 Year Housing Land Supply Position (as of 26th February 2021 – base dated 31st March 2020) – Constructed by AY using SHMBC data.

Updated employment and housing land supply information (SHBC007) - May 2021

4.13 The Council then provided an 'Updated employment and housing land supply position statement' (SHBC007) on 1 May 2021. This included:

- A Local Plan Updated Housing Trajectory (2021-2037);
- A Local Plan 5 Year Supply Position (as of 31st March 2021);
- An Update of Policy LPA05 Table 4.6 of the LPSD (previously updated in the Housing Need and Supply Background Paper (SD025), Tables 5.2-5.5, to provide the position as at 31 March 2021.

4.14 The Council's updated position in SHBC007 now takes into account an extension of the plan period to 2037 and is effectively base dated 1 April 2021. Therefore, the latest update covers a 16 year period with a different base date, so is not directly comparable to the previously set out positions in October, and March 2021.

Plan Period Housing Trajectory

- 4.15 SHBC007 provides another update to the housing supply data setting out SHMBC's Housing Trajectory for 2021 – 2037 (base dated 31st March 2021), with and without a 15% discount applied to years 6-15 of the SHLAA Supply and non-Green Belt allocations (3HA, 6HA, 9HA and 10HA). These trajectories are reproduced in Tables 4-6 below.
- 4.16 The Council's full updated trajectory included in SHBC007 and Tables 9-11 below summarise the Council's claimed supply by source and by plan year.
- 4.17 The total number of dwellings within the supply from 2020-2035 is 8,274; or 7,835 with the 15% discount applied to years 6-15 of the SHLAA Supply and non-Green Belt allocation (3HA, 6HA, 9Ha and 10HA).

Year	Allocated Sites	Other Supply (SHLAA and sites with planning permission and under construction)	Small sites allowance	Total Dwellings
2021/22	45	227	93	365
2022/23	45	293	93	431
2023/24	131	320	93	544
2024/25	135	274	93	502
2025/26	219	208	93	520
2026/27	305	83	93	481
2027/28	327	577	93	997
2028/29	350	365	93	808
2029/30	350	195	93	638
2030/31	359	96	93	548
2031/32	252	247	93	592
2032/33	240	158	93	491
2033/34	240	25	93	358
2034/35	240	0	93	333
2035/36	240	0	93	333
2036/37	240	0	93	333
Total				8274

Table 9 - Plan Trajectory 2021-2037 (SHBC007)

Year	Allocated Sites (-15% discount to years 6-15 for non Green Belt sites 3,6,9 and 10ha)	Other Supply - 15% discount (SHLAA and sites with planning permission and under construction)	Small sites allowance	Total
2021/22	45	227	93	365
2022/23	45	293	93	431
2023/24	131	320	93	544
2024/25	135	274	93	502
2025/26	219	208	93	520
2026/27	285	71	93	449
2027/28	307	490	93	890
2028/29	330	310	93	733
2029/30	330	166	93	589
2030/31	340	82	93	515
2031/32	239	210	93	542
2032/33	227	134	93	454
2033/34	227	21	93	341
2034/35	227	0	93	320
2035/36	227	0	93	320
2036/37	227	0	93	320
Total				7835¹

Table 10 - Plan Trajectory 2021-2037 with a 15% Discount Applied to Years 6-15 of the SHLAA Supply and non-Green Belt Allocations (3HA, 6HA, 9Ha and 10HA) (SHBC007).¹

¹ Please note that the total supply for 2021-2037 is 7835 dwellings, this is 4 units more than the total housing supply figure of 7831 units as of 31.03.2021 shown in Table 5.5 in Annex 3 due to the rounding of the 15% discount to the individual plan years.

Housing Supply on adoption of the Plan 2021-2037 (as of 31.03.21)		Number of dwellings
Deliverable 0-5 years	Large sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started)	602
	Large sites - planning permission under construction (including SHLAA_2017 and new large sites with planning permission and under construction)	512
	Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired)	208
	Local Plan Allocations (including those previously counted as SHLAA sites 3HA, 6HA, 9HA and 10HA)	575
	Small sites - allowance (93 x 5)	465
	Sub total	2362
Developable 6-10 years	Large sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started)	189
	Large sites - planning permission under construction (including SHLAA_2017 and new large sites with planning permission and under construction)	0
	Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired)	1127
	Local Plan Allocations (including those previously counted as SHLAA sites 3HA, 6HA, 9HA and 10HA)	1691
	Large sites - historically implemented but stalled	0
	Small sites - allowance (93 x 5)	465
	Sub total	3472
Developable 11-16 years	Large sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started)	0
	Large sites - planning permission under construction (including SHLAA_2017 and new large sites with planning permission and under construction)	0
	Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired)	279
	Local Plan Allocations (including those previously counted as SHLAA sites 3HA, 6HA, 9HA and 10HA)	1452
	Large sites - historically implemented but stalled	151
	Small sites - allowance (93 x 6)	558
	Sub total	2440
TOTAL		8274

Table 11 - SHMBC's 5 Year Housing Land Supply Position (as of 31st March 2021) broken down by 5 year period (SHBC007).

Five Year Housing Land Supply Position

Local Plan 5 year supply as of 31.03.2020	
Large sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started)	602
Large sites - planning permission under construction (including SHLAA 2017 and new large sites with planning permission and under construction)	512
Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired)	208
Local Plan Allocations (including those previously counted as SHLAA sites, 3HA, 6HA, 9HA and 10HA)	575
Small sites allowance (93 x 5)	465
5 year supply	2362
Number of years supply of deliverable housing land (2362/510)	4.6

Table 12 - SHMBC's 5 Year Housing Land Supply Position 31.3.21 (SHBC007).

4.18 In SHBC007, the Council also provided updates to Tables 5.2 -5.6 in the submitted plan. These are reproduced in Tables 13-16 below.

Requirement	Dwellings
St. Helens housing requirement (21 years from 1 Apr 2016 to 31 Mar 2037) at average of 486 per year	10,206
Net Completions from 1 April 2016- 31 March 2021	3074
Residual requirement over Local Plan period from 1 April 2021 to 31 March 2037	7132

Table 13 - SHMBC's Table 5.2: Residual Housing Land Requirement 2016-2037 (SHBC007).

SHLAA Supply 2021 – 2037 (as of 31.03.2021)	Dwellings
Total SHLAA supply– 1 April 2021 until 31 March 2037 (including non-Green Belt Local Plan allocation sites 3HA, 6HA, 9HA and 10HA)	4766
SHLAA capacity reduction for non-delivery (15% of SHLAA identified capacity for years 6-16 of the Plan period including non-Green Belt Local Plan allocation sites 3HA, 6HA, 9HA and 10HA) (2953 -15%)	-443
Residual SHLAA capacity over 16 year Plan period 1 April 2021 - 31 March 2037 (including non-Green Belt Local Plan allocation sites 3HA, 6HA, 9HA and 10HA)	4323
Small sites allowance x 16 years (sites below 0.25ha / 5 dwellings)	1488
Total Plan period capacity on non-Green Belt land	5811

Table 14 - SHMBC's Table 5.3: SHLAA Housing Land Supply 2021-2037 (SHBC007).

Green Belt Land Supply 2021-2037	Dwellings
Required capacity to be found on Green Belt land (7132-5811)	1321
20% increased allowance to be added to Green Belt required capacity (to allow for contingencies e.g., infrastructure provision, delays, lead-in times to start of housing delivery etc.)	264
Overall required capacity of sites to be removed from the Green Belt	1585
Total Plan period capacity of allocated sites removed from the Green Belt (sites 1HA, 2HA, 4HA, 5HA, 7HA and 8HA)	2020

Table 15 - SHMBC's Table 5.4: Green Belt Land Supply 2021-2037 (SHBC007).

Total Supply over the Plan Period 2021-2037	Dwellings
Total Plan period capacity on non-Green Belt land	5811
Total Plan period capacity of allocated Green Belt sites	2020
Total housing supply over Plan period	7831

Table 16 - SHMBC's Table 5.5: Total Supply over the Plan Period 2021-2037 (SHBC007).

5 Delivery Rates and Lead-in Times

Council's Approach to Delivery Rates and Lead-in Times

- 5.1 Paragraphs 4.14 to 4.25 of the Council's HNSBP set out in detail the Council's rationale for the deliverability and lead in times that have informed the housing trajectory that it considers are realistic and is based on sensible judgements being made about lead in times and build rates.

Lead-in Times

- 5.2 In general, the assumed lead-in times which are based on the 2017 SHLAA methodology are 1.5 years for full permission / reserved matters, 2 years for outline permission and 2.5 years for sites without permission. According to the 2017 SHLAA (Para 3.49), these figures areas consulted upon and agreed by the Mid-Mersey Housing Market Area Stakeholder group in August 2014.

Type of site	Under construction	Full permission / reserved matters	Outline permission	Without permission
Lead in time	None	1.5 years	2 years	2.5 years

Table 17 - SHMBC Lead-in times

- 5.3 There are two exceptions to the lead in times that the Council has applied:
- For site 2HA, a lead-in time of 4 years has been applied to allow for the completion of the ongoing M6 Junction 23 Study and any subsequent follow-on work; and
 - For site 4HA, a lead-in time of 7 years on adoption of the Plan is to allow for a thorough masterplanning process and preparation of a site-specific SPD to be prepared.

Build-out Rates

- 5.4 The Council's Build-out rate assumptions for major sites have been informed by an analysis of build out rates from developments over 50 units in St. Helens over the past ten years.
- 5.5 The following build-out rates have been applied:
- Housing allocations on sites to be released from the Green Belt: 40 units per annum on sites below 250 units;
 - Housing allocations on sites to be released from the Green Belt: 45 units per annum on sites of 250 units or more;

- Bold Garden Suburb site (4HA): 60 units per annum, but given the size of the site this could be higher depending on how many housebuilders and sales centres are operational at one time; and
- In accordance with the methodology of the 2017 SHLAA, for housing allocations on sites to be allocated in the urban area and sites counted in the SHLAA housing supply: 20 units per annum on sites below 50 units, 30 units per annum on sites of 50-150 units and 45 units per annum on sites more than 150 units.

Avison Young's Comments on Delivery Rates and Lead-in Times

Lead-in times

- 5.6 The Council's assumed lead-in times which are based on the 2017 SHLAA methodology, are 1.5 years for sites with full permission / reserved matters, 2 years for sites with outline permission and 2.5 years for sites without permission.
- 5.7 In our experience, a blanket 2 year lead-in time for sites with outline permission, and a blanket 2.5 year lead-in time for sites without permission would be rather simplistic. In many cases, the Council has used longer lead-in times (compared to those set out at Table 17) for several of the proposed 'Allocations' and 'Large Sites' within its claimed supply without any clear explanation of why. There is not a clear pattern of whether and how the Council's lead-in time assumptions have been applied to sites. Specifically, it is not clear whether the Council has applied lead-in time assumptions or has based its trajectory for any given site on other specific 'evidence' (i.e. information from Developers).
- 5.8 Therefore, in Section 6 of this report, we have considered whether the evidence provided by the Council supports the claimed trajectory for sites within its claimed supply.

Build-out rates

- 5.9 In terms of build-out rates, the Council's assumptions (set out at Section 4 of this report) seem reasonable and in-line with typical build out rates that we have experienced and these build-out rate assumptions appear to have been applied to the Council's latest claimed trajectory in a reasonable way.

Lead-in Times and Build-out Rates for the Chapel Lane Site

- 5.10 In the context of the Council's lead-in times and build-out rates, with particular reference to the site at Chapel Lane, the Council's assumed lead-in times at Table 17 are indeed realistic. Specifically, should the Chapel Lane site be allocated in the Local Plan, Lovell will submit a full planning application immediately upon adoption of the Local Plan (anticipated in December 2021). The indicative timescales set out at **Appendix III** of Lovell's Mater 5 Hearing Statement demonstrate that this would lead to

delivery starting in September 2023 with full delivery from 1st October 2023 (i.e. two full quarters of delivery in the 2023/24 monitoring year).

- 5.11 Furthermore, the Council has used an assumption of 40 dwellings per annum for housing allocations released from the Green Belt, which would result in the delivery of 120 units in 3 years.
- 5.12 Unlike the 10 proposed housing allocations, which are expected to deliver market housing (with just a modest proportion of affordable based on policy requirements and/or viability considerations), the Chapel Lane site will deliver 150 no. (100%) affordable dwellings. This means that, as set out at **Appendix III** of Lovell's Mater 5 Hearing Statement and based on the lead-in times and delivery rates expected, the site will deliver the entire 150 dwellings well within the first 5 years of the plan period.

6 Analysis and Critique of SHMBC's Claimed Requirement and 5 Year Housing Land Supply

Housing Requirement

- 6.1 The examination has considered a number of detailed submissions upon the Council's claimed housing requirement. The annualised housing requirement of 510 (see Table 3) is based on a Local Plan Housing Requirement of 486 per annum, plus a 5% buffer as set out in Appendix 2 of the HNSBP (SD025). There is no housing shortfall to make up over the first 5 years of the plan period.
- 6.2 The overall and annualised housing requirement has not been updated by any of the subsequent position updates from the Council, up to and including the May 2021 update in SHBC007.
- 6.3 The accompanying work from Tetlow King sets out how the overall housing requirement should be uplifted to address the affordable housing crisis in the Borough. For the purposes of this report however, we have used the Council's Local Plan housing requirement of 486 per annum as a basis for assessing the claimed supply. In this context however, it is important to consider the appropriate buffer that should be added.
- 6.4 The Planning Practice Guidance (PPG) states at paragraph 009 (How can authorities confirm their 5 year housing land supply?) that:

*"When local planning authorities wish to confirm their 5 year housing land supply position once in a given year they can do so either through a recently adopted plan or by using a subsequent annual position statement."*²

- 6.5 Paragraph 73 of the NPPF states that:

"Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

² Reference ID: 68-009-20190722

- a) 5% to ensure choice and competition in the market for land; or
- b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.”

Paragraph 74 of the NPPF states that:

“A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which: a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.”

- 6.6 The PPG also states at paragraph 10 (How can a 5 year housing land supply be confirmed as part of the examination of plan policies?) that (AY emphasis in bold):

“The examination will include consideration of the deliverability of sites to meet a 5 year supply, in a way that cannot be replicated in the course of determining individual applications and appeals where only the applicant’s / appellant’s evidence is likely to be presented to contest an authority’s position.

When confirming their supply through this process, local planning authorities will need to:

- *be clear that they are seeking to confirm the existence of a 5 year supply as part of the plan-making process, and engage with developers and others with an interest in housing delivery (as set out in Paragraph 74a of the Framework), at draft plan publication (Regulation 19) stage.*
- ***apply a minimum 10% buffer to their housing requirement*** to account for potential fluctuations in the market over the year and ensure their 5 year land supply is sufficiently flexible and robust. *Where the Housing Delivery Test indicates that delivery has fallen below 85% of the requirement, a 20% buffer should be added instead.*

Following the examination, the Inspector’s report will provide recommendations in relation to the land supply and will enable the authority, where the authority accepts the recommendations, to confirm they have a 5 year land supply in a recently adopted plan.”³

³ Reference ID: 68-010-20190722

6.7 Paragraph 022 of the PPG (How should buffers be added to the 5 year housing land supply requirement?) also states:

“To ensure that there is a realistic prospect of achieving the planned level of housing supply, the local planning authority should always add an appropriate buffer, applied to the requirement in the first 5 years (including any shortfall), bringing forward additional sites from later in the plan period. This will result in a requirement over and above the level indicated by the strategic policy requirement or the local housing need figure.

Buffers are not cumulative, meaning that an authority should add one of the following, depending on circumstances:

- *5% - the minimum buffer for all authorities, necessary to ensure choice and competition in the market, where they are not seeking to demonstrate a 5 year housing land supply;*
- *10% - the buffer for authorities seeking to ‘confirm’ 5 year housing land supply for a year, **through a recently adopted plan** or subsequent annual position statement (as set out in paragraph 74 of the National Planning Policy Framework), unless they have to apply a 20% buffer (as below); and*
- *20% - the buffer for authorities where delivery of housing taken as a whole over the previous 3 years, has fallen below 85% of the requirement, as set out in the last published Housing Delivery Test results.”⁴*

6.8 Policy LPA05 of the submitted local plan states:

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

a) an adequate supply of new housing is provided at all times in accordance with the Housing Delivery Test set out in national policy; and,

b) there is a deliverable supply of housing that is sufficient to provide at least 5 years’ worth of new housing development against the housing requirement. The 5 year land supply to be maintained shall include any buffer that is required under national policy. If annual monitoring demonstrates the deliverable housing land supply falls significantly below the required level, a partial or full plan review will be considered to bring forward additional sites.”

6.9 The subtext (Paragraph 4.18.21) to LPA05 states:

⁴ Reference ID: 68-022-20190722.

“The delivery of housing will be monitored over the Plan period. If at any stage delivery falls below 95% of the required level over the previous three years, the Council will prepare an action plan (in accordance with the Housing Delivery Test set out in national planning policy) to address the causes of under-delivery. If delivery or current deliverable land supply falls substantially below the required level, the Council may undertake a Local Plan review to bring forward additional sites such as those that are safeguarded under Policy LPA06.”

6.10 The Council published a Draft Schedule of Main Modifications (SHBC010) on 17th May 2021, within which it sets out modifications to its monitoring framework for Policy LPA05 which includes the following ‘potential action of contingency’ should the Council have ‘fewer than 5 years’ supply (plus the required buffer) of housing land:

- *Consideration of the barriers to delivery of sites after permission is granted, and working with partners to overcome them;*
- *Consideration of whether sufficient planning permissions are being granted (and within statutory time limits);*
- *Seek to maintain an appropriate mix of sites to sustain delivery;*
- *Use proactive pre-application process to speed up the application process;*
- *Seek funding to unlock brownfield sites to boost the housing supply;*
- *Consider early review of the Local Plan if there is long term underperformance against the 5 year supply.*

6.11 The Council is clearly seeking to confirm its 5 year housing land supply through the adoption of the plan and, very clearly, must apply a 10% buffer to its housing requirement (the 20% buffer does not apply as the latest Housing Delivery Test (HDT) result for St. Helens is 145%).⁵

6.12 Table 18 below sets out the annualised 5 year requirement with a 5% and 10% buffer applied.

⁵ HDT results January 2020.

Local Plan 5 Year Housing Requirement	5% Buffer	10% Buffer
A. Local Plan Annual Housing Requirement	486	486
B. Local Plan Housing Requirement 2016-2020	1944	1944
C. Housing Shortfall 2016-2021	0	0
D. Local Plan Housing Requirement 2021-2026 (486x5)	2430	2430
E. Local Plan Housing Requirement 2021-2026 (buffer applied)	2552	2673
F. Annualised Housing Requirement (E/5)	510	535

Table 18 - SHMBC's Local Plan 5 Year Housing Requirement

6.13 Section 7 of this Report compares the Council's claimed supply and a more realistic supply to the Council's housing requirement with both a 5% and a 10% buffer applied.

Housing Supply

Council's Claimed Supply

6.14 As set out in Section 4 of this Report, SHMBC's latest claimed supply now comprises:

- An overall trajectory of 7,831 (taking into account a 15% discount applied to years 6-16 of the SHLAA Supply and non-Green Belt allocation (3HA, 6HA, 9Ha and 10HA) (See Table 16 above); and
- A 5-year supply of 2,362 (Table 12) to meet a 5-year requirement of 2,552 (Table 3) from the following sources of supply.
 - 1) Large Sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started);
 - 2) Large sites - planning permission under construction (including SHLAA 2017 and new large sites with planning permission and under construction);
 - 3) Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired);
 - 4) Local Plan Allocations (including those previously counted as SHLAA sites, 3HA, 6HA, 9HA and 10HA); and,
 - 5) Small sites allowance (93 dwellings per annum).

Definition of Deliverable

- 6.15 Whether or not the Council's assumptions on lead-in times and build-out rates delivery rates are realistic or not, there are two important points to note in relation to the Council's claimed housing land supply in the Submission Local Plan and subsequent updates (i.e. the latest trajectory in SHBC007).
- 6.16 Firstly, regardless of realistic lead-in times, sites with no planning permission, outline planning permission only, or allocated in a development plan, should only be considered deliverable and included in the Council's 5 year housing land supply where there is clear evidence that housing completions will begin on site within 5 years.
- 6.17 In terms of the 5 year supply, the definition of a 'deliverable' is set out in the Annex to the National Planning Policy Framework (NPPF) which states:

***"Deliverable:** To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years."

- 6.18 Paragraph 007 of the PPG (What constitutes a 'deliverable' housing site in the context of plan-making and decision-taking?) states:

"In order to demonstrate 5 years' worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions. Annex 2 of the National Planning Policy Framework defines a deliverable site. As well as sites which are considered to be deliverable in principle, this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:

- have outline planning permission for major development;*
- are allocated in a development plan;*

- *have a grant of permission in principle; or*
- *are identified on a brownfield register.”⁶*

6.19 Furthermore, Paragraph 007 of the PPG also goes on to set out examples of how the deliverability of sites can be evidenced. This is identified in the Council’s HSNBP (Paragraph 4.25) which states that:

“the assessment of deliverability of sites and lead in times informing the housing trajectory has taken into consideration the latest guidance in PPG (Paragraph: 007 Reference ID: 68-007-20190722) which indicates that evidencing the deliverability of sites may include:

- *current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*
- *firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;*
- *firm progress with site assessment work; or*
- *clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for largescale infrastructure funding or other similar projects.”*

6.20 We have assessed the sites in the Council’s latest claimed trajectory below by source of supply, in the context of the requirements for the evidence required to demonstrate deliverability set out here.

Large Sites (Council’s sources 1,2 and 3)

6.21 As shown in Table 11, the Council claims an overall plan period supply from Large Sites of 3,068. This includes dwellings from the following sources:

- 1) Large Sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started);
- 2) Large sites - planning permission under construction (including SHLAA 2017 and new large sites with planning permission and under construction);

⁶ Reference ID: 68-007-20190722

- 3) Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired); and,
- 6.22 For the first five years of the plan period, the Council claims a supply from 'Large Sites' of 1,322 (See Table 12 above).
- 6.23 The Council's latest detailed trajectory setting out which sites contribute to these claimed figures and in which years of the plan period is provided in **SHBC007**.
- 6.24 The Council has included several 'Large Sites' within its claimed 5YHLS that either:
- Do not benefit from a detailed extant planning permission;
 - Had a previous detailed planning permission that has now expired;
 - Have a planning permission for Use Class C2 development – requiring a conversion factor to be applied to the total amount of dwellings claimed in the 5YHLS.
- 6.25 The definition of 'Deliverable' at the Annex to the NPPF is absolutely clear that such sites should *'only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.'*
- 6.26 Paragraph 007 of the PPG⁷ sets out clear examples of the type of evidence that can be used to demonstrate deliverability of sites, and this is clearly acknowledged by the Council in its own HSNBP (Paragraph 4.25).
- 6.27 The only evidence that the Council has produced as part of the Examination of the Local Plan, appears to be contained in:
- The 2017 SHLAA;
 - The HNSBP (SD0025);
 - The updated SHLAA site assessments and trajectory provided in SHBC004 on 1 March 2021;
 - 'Updated Employment and Housing Land Supply Position as of 31.03.2021' (SHBC007). The Council states (page 3) that this document "contains all the latest housing figures and information with regard to the housing supply and trajectory for the plan period, and the 5-year land supply."

⁷ Reference ID: 68-007-20190722

6.28 Avison Young has analysed the Council's claimed trajectory from 'Large Sites' in the context of the NPPF, the PPG, and the evidence (or lack of) that the Council has produced to demonstrate deliverability.

6.29 It is worth noting that the Council stated in its response (SHBC00-1) to the Inspectors Preliminary Questions that (AY emphasis) in bold:

*"It is recognised that there is a spike in the 2025/26 and 2026/2027 years as this is when the proposed Local Plan allocations (from the Green Belt supply) start to feature more considerably in the supply once appropriate lead-in times have been allowed for. Such a spike is also reflective of the fact that the Council has been cautious when assessing sites as deliverable, **and there are therefore a number of sites in the 6-10 year period that do not have any significant site constraints preventing them from coming forward within the 0-5 year period, but because they do not currently have a planning permission or are not being promoted actively through the development management process yet, they have not been counted in the 5 year supply. Instead they are considered developable and are counted in the 6-10 year period.** Other sites are in the 6-10 year period as a result of discussions with landowners, site promoters and stakeholders and assumed delivery is based on evidence of likely lead-in times and infrastructure requirements (particularly for the proposed allocations from the Green Belt supply). The spike is therefore considered realistic, but it will be reconsidered as part of the updated SHLAA site assessment referred to above."*

6.30 Whilst we acknowledge that the apparent spike in delivery referred to has been somewhat 'smoothed out' in the Council's latest trajectory, despite this statement, as is demonstrated in our detailed analysis below, the Council has indeed included sites in its claimed 5YHLS that do not have planning permission or are being actively promoted through the DM process.

6.31 In summary, in the absence of any robust evidence presented by the Council to demonstrate delivery in the first five years of the plan period (2021/22 – 2025/26), several sites should be removed from the 5YHLS, or the number of dwellings claimed from them should be reduced as follows:

6.32 The sites from which we have reduced the Council's claimed delivery are set out below, with a description of why delivery should be reduced.

Large Sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started):

6.33 The Council claims 602 dwellings in its 5YHLS from sites that have planning permission but have not yet started. However, for the following sites, the claimed supply should be reduced or the site removed entirely from the 5YHLS.

HL496 - Land at Elton Head Road, Lea Green

- 6.34 The Council claims that 180 dwellings will be delivered in the 5YHLS from this site with 45 dwellings in each of plan years 2022/23, 2023/24, 2024/25 and 2025/26.
- 6.35 Reserved matters approval was given on 18th September 2018 (P/2019/0216 - Application for the approval of appearance, landscaping, layout and scale pursuant to outline planning permission P/2015/0309).
- 6.36 Condition 1 on the outline permission requires development to commence within 2 years from the final approval of reserved matters AND that all applications for reserved matters must be made within three years from date of decision (i.e. by 29 April 2019).
- 6.37 In this context, there are two important considerations:
- 1) The planning permission (neither the outline permission or reserved matters approval) has not been implemented. Furthermore, there are several pre-commencement conditions on the outline planning permission which have not yet been discharged (according to SHMBC's website). These points are confirmed by the covering letter associated with recent s73 application (P_2021_0436_S73). Whilst the Council appears to have validated the s73 application, the PPG is clear that a s73 application cannot be used to extend the time limit within which a development must be started or an application for approval of reserved matters must be made⁸ AND on a new permission issued via s73, any time limit conditions "must remain unchanged from the original permission."⁹;
 - 2) The ability to submit any further RM applications has fallen away given that the 29 April 2019 date has passed.
- 6.38 Therefore, the two year time limit for implementing the permission following the approval of the final reserved matters (i.e. 18th September 2020) has passed and therefore the permission has expired.
- 6.39 The site was not assessed in the 2017 SHLAA and the only evidence produced by the Council of the deliverability of this site is the HNSBP which states that the "*site now has a full planning permission (P/2019/0216)*".

⁸ Reference ID: 17a-014-20140306

⁹ Reference ID: 17a-015-20140306

6.40 In the absence of any further evidence produced by the Council in accordance with paragraph 007 of the PPG¹⁰ and the Council's own HSNBP, the site should not be included in the 5YHLS.

6.41 This results in a **reduction of 180** dwellings from the 5YHLS as follows:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
<i>Council's claimed supply</i>	0	45	45	45	45	180
<i>AY Supply</i>	0	0	0	0	0	0
Difference	0	-45	-45	-45	-45	-180

Table 19 – 5HLS from site HL496

HL483 – Ibstocks, Chester Lane

6.42 The Council claims that 135 dwellings will be delivered in the 5YHLS from this site with 45 dwellings in each of plan years 2023/24, 2024/25 and 2025/26.

6.43 Hybrid planning permission (P/2015/0599/HYBR) was granted on 25th May 2016 for:

3) *Full Permission for importation of fill and profiling of the site, including the opening of the culverted water course.*

4) *(ii) Outline Permission for residential development (all matters other than access reserved)*
Resubmission of P/2014/0836

6.44 A subsequent variation of conditions application (conditions 4, 5, 6, 8 and 11 on approval P/2015/0599/HYBR) was approved 22 Feb 2017.

6.45 The section 73 permission application effectively extended the time limits for the submission of reserved matters (condition 17) and the implementation of the permission (condition 1) which is no longer possible in accordance with the PPG¹¹. Nevertheless, Condition 17 of P/2016/0907/S73 still requires reserved matters (in relation to the outline residential element of the permission) to be submitted within 4 years (i.e. by 22nd February 2021).

6.46 The site was not assessed in the 2017 SHLAA and the only evidence of the deliverability of the site produced by the Council is in the HNSBP which states that:

"Relevant conditions for site remediation were discharged in 2018 (site has full planning permission for site profiling and outline for residential use). Site levelling and profiling is being undertaken."

¹⁰ Reference ID: 68-007-20190722

¹¹ Reference ID: 17a-014-20140306 and ¹¹ Reference ID: 17a-015-20140306

- 6.47 However, there is no evidence on SHMBC's website that any reserved matters application has been submitted in relation to the outline element of the permission and therefore the planning permission for residential development has expired.
- 6.48 Furthermore, a billboard at the site suggests it is currently being marketed by Luke Backhouse, suggesting that no developer is currently involved in the site.
- 6.49 In the absence of any further evidence produced by the Council in accordance with paragraph 007 of the PPG¹² and the Council's own HSNBP, the site should not be included in the 5YHLS.
- 6.50 This results in a **reduction of 135** dwellings from the 5YHLS as follows:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
<i>Council's claimed supply</i>	0	0	45	45	45	135
<i>AY Supply</i>	0	0	0	0	0	0
Difference	0	0	-45	-45	-45	-135

Table 20 – 5HLS from site HL483

HL524 – Clough Mill Blundells Lane

- 6.51 The Council claims that 10 dwellings will be delivered in the 5YHLS from this site in plan year 2023/24.
- 6.52 Outline planning permission (P/2019/0812) for 'Redevelopment of the site to provide 10 houses via a private road - Renewal of planning permission P/2016/0193/OUP' was granted on 21st Feb 2020.
- 6.53 Whilst the site has outline planning permission, there is no evidence on SHMBC's website or presented by the Council that any conditions have been discharged or subsequent reserved matters applications have been, or are about to be submitted.
- 6.54 Furthermore, Elm Construction is still operating an active business from the site.
- 6.55 The site was not assessed in the 2017 SHLAA and the only evidence produced by the Council of the deliverability of this site is the HNSBP which states that the *"Renewal of outline planning permission (P/2019/0812)."*
- 6.56 In the absence of any further evidence produced by the Council in accordance with paragraph 007 of the PPG¹³ and the Council's own HSNBP, the site should not be included in the 5YHLS.

¹² Reference ID: 68-007-20190722

¹³ Reference ID: 68-007-20190722

6.57 This results in a **reduction of 10** dwellings from the 5YHLS as follows:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
<i>Council's claimed supply</i>	0	0	10	0	0	10
<i>AY Supply</i>	0	0	0	0	0	0
Difference	0	0	0	0	0	-10

Table 21 – 5HLS from site HL524

HL525 – Fishwicks Industrial Estate, Baxters Lane

6.58 The Council claims that 90 dwellings will be delivered in the 5YHLS from this site with 45 dwellings in each of plan years 2023/24, 2024/25 and 2025/26.

6.59 Outline planning permission (P/2016/0299) was granted on 15th November 2016 for the 'demolition of existing buildings and construction of 93 dwellings'.

6.60 Condition 1 on the outline permission requires development to commence within 2 years from the final approval of reserved matters AND that all applications for reserved matters must be made within three years from date of decision (i.e. by 15th November 2019).

6.61 However, there is no evidence on SHMBC's website that any conditions have been discharged or subsequent reserved matters have been submitted. A site visit by Avison Young confirmed that the industrial estate remains in active commercial use.

6.62 The site was not assessed in the 2017 SHLAA and the only evidence produced by the Council of the deliverability of this site is the HNSBP which states that the *"Site has outline planning permission and demolition of some buildings commenced in 2017."*

6.63 Therefore the outline permission has expired as the ability to submit reserved matters has passed (condition requires RM to be submitted within 3 years).

6.64 In the absence of any further evidence produced by the Council in accordance with paragraph 007 of the PPG¹⁴ and the Council's own HSNBP, the site should not be included in the 5YHLS.

6.65 This results in a **reduction of 90** dwellings from the 5YHLS as follows:

¹⁴ Reference ID: 68-007-20190722

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
Council's claimed supply	0	0	30	30	30	90
AY Supply	0	0	0	0	0	0
Difference	0	0	-30	-30	-30	-90

Table 22 – 5HLS from site HL525

HL706 – The Club 337 – 341 Church Road Haydock St Helens

- 6.66 The Council claims that 10 dwellings will be delivered in the 5YHLS from this site with 5 dwellings in each of plan years 2022/23 and 2023/24.
- 6.67 Full planning permission (P/2020/0216/FUL) was granted on 28th July 2020 for the 'demolition of existing building and erection of 10no dwellings (3no terraced, 6no semi-detached and 1no detached) including access from Beilby Road, parking and landscaping. The subsequent removal of condition 12 (affordable housing) of the full permission was approved on 3rd February 2021.
- 6.68 A subsequent full planning application (P/2021/0419/FUL) for the demolition of existing building and erection of 9no dwellings (8 no. semi-detached houses and 1 no. detached house) including access road, parking and informal landscaping was validated on 27th April 2021 and is pending determination.
- 6.69 The submitted Design and Access Statement for the 2021 application states:
- "Note that this application supersedes and replaces the previous planning application P/2020/0216/FUL granted on 28/07/2020, the reasoning being as follows: During the original planning process the client was made aware of a strip of land outside the site boundary and the ownership of the client which affected the proposed access road off Beilby Road. Preliminary arrangements were effected to overcome the issue to allow planning permission to be granted. Subsequent investigations into the cost of an insurance policy on this land coupled with potential legal obstacles which could potentially affect the sales viability of the proposed houses prompted a rethink. The client has decided to resubmit the application with a new layout that is not affected by this strip of land."*
- 6.70 Given the definition of 'deliverable' in the Annex to the NPPF, whilst the site has permission for 10 units, the subsequent recent application for 9 units and the Applicant's Design and Access Statement provide 'clear evidence' that the site will deliver 9, rather than 10 homes.
- 6.71 This results in a **reduction of 1** dwelling from the 5YHLS as follows:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
<i>Council's claimed supply</i>	0	5	5	0	0	10
<i>AY Supply</i>	0	5	4	0	0	9
Difference	0	0	-1	0	0	-1

Table 23 – 5HLS from site HL706

Large sites - planning permission under construction (including SHLAA 2017 and new large sites with planning permission and under construction):

HL537 - Windlehurst Youth Centre Gamble Avenue

- 6.72 The Council claims that 90 dwellings will be delivered in the 5YHLS from this site with 10 dwellings in plan year 2021/22 and 2 dwellings in 2022/23.
- 6.73 Full planning permission (P/2016/0650/FUL) for the 'demolition of existing youth centre and erection of 12no dwellings along with new access road and associated landscaping' was approved on 25th November 2019.
- 6.74 Condition 1 on the outline permission requires development to commence within 3 years and there is no evidence on SHMBC's website that any conditions have been discharged or subsequent reserved matters have been submitted.
- 6.75 The only evidence produced by the Council of the deliverability of this site is the HNSBP which states "no change." Since 2017 SHLAA. However, the site was not assessed in the 2017 SHLAA.
- 6.76 The permission has expired and in the absence of any further evidence produced by the Council in accordance with paragraph 007 of the PPG¹⁵ and the Council's own HSNBP, the site should not be included in the 5YHLS.
- 6.77 This results in a **reduction of 12** dwellings from the 5YHLS as follows:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
<i>Council's claimed supply</i>	10	2	0	0	0	12
<i>AY Supply</i>	0	0	0	0	0	0
Difference	-10	-2	0	0	0	-12

Table 24 – 5HLS from site HL537

¹⁵ Reference ID: 68-007-20190722

HL721 - Stables Court, Frontfield Court And Cross Meadow Court Appleton Road St Helens

- 6.78 The Council claims that 38 dwellings will be delivered in the 5YHLS from this site with 20 dwellings in plan year 2021/22 and 18 dwellings in 2022/23.
- 6.79 Full planning permission (P/2020/0009/FUL) for 'change of use from three storey dwellings (C3) to Assisted Living Units (C2), with conversion of 2no ground floor flats into 2no suicide crisis units along with office space' was approved on 26th Feb 2020.
- 6.80 Full planning permission (P/2020/0615/FUL) for a 'proposal to remodel Stables Court and Frontfield Court only to provide a 28 unit supported housing scheme linked by landscaped communal gardens and parking facilities' was approved on 6th November 2020.
- 6.81 Both extant permissions are for supported living and the officer's reports and decision notices confirm both are for use class C2.
- 6.82 Paragraph 035 of the PPG ('how can authorities count older people's housing in the housing land supply?') states that:

*"Local planning authorities will need to count housing provided for older people, including residential institutions in Use Class C2, as part of their housing land supply. This contribution is based on the amount of accommodation released in the housing market. Further guidance is set out in Housing for Older and Disabled People."*¹⁶

- 6.83 Paragraph 016a ('How should plan-making authorities count specialist housing for older people against their housing requirement?') of the PPG clarifies that:

*"Plan-making authorities will need to count housing provided for older people against their housing requirement. For residential institutions, to establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of adults living in households, using the published Census data."*¹⁷

- 6.84 The average number of adults living in households both nationally and in St. Helens is 1.8 (based on the latest Census data¹⁸).

¹⁶ Reference ID: 68-035-20190722

¹⁷ Reference ID: 63-016a-20190626

¹⁸ <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/adhocs/008208ct07742011>

Applying a ratio of 1.8 to the 38 claimed units from this site results in the equivalent of 21 dwellings within the 5YHLS (20/1.8=11 in 21/22 and 18/1.8=10 in 22/23).

6.85 Overall, this is a **reduction of 17** dwellings from the 5YHLS as follows:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
<i>Council's claimed supply</i>	20	18	0	0	0	38
<i>AY Supply</i>	11	10	0	0	0	21
Difference	-9	-8	0	0	0	-17

Table 25 – 5HLS from site HL721

Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired):

1-Land rear of 1-27 Station Road

6.86 The Council claims that 12 dwellings will be delivered in the 5YHLS from this site with 10 dwellings in plan year 2023/24 and 2 dwellings in 2024/25.

6.87 The only evidence produced by the Council of the deliverability of this site is in SHBC004 which includes an updated SHLAA assessment for the site. The updated SHLAA assessment states:

"This site has previously benefitted from outline consent for the erection of 4 houses and 9 sheltered bungalows and laying out 4 allotments (all matters except for access and layout reserved). There is currently a planning application pending determination for the erection of 12 dwellings."

6.88 An application for full planning permission (P/2019/0794/FUL) for the 'erection of 4no. semi-detached dwellings and 8no. detached bungalows with associated parking' was submitted on 19th March 2020. A suite of revised / additional drainage information was submitted in November 2020 suggesting that there were drainage issues to be resolved.

6.89 The planning application was withdrawn on 30th March 2021.

6.90 Therefore, the site does not benefit from any planning permission and should not be included in the 5YHLS without clear evidence of deliverability.

6.91 Rather than any evidence produced by the Council in accordance with paragraph 007 of the PPG¹⁹ and the Council's own HSNBP, to demonstrate delivery, the evidence available and summarised here, instead suggests the site will not be delivered.

6.92 This results in a **reduction of 12** dwellings from the 5YHLS as follows:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
Council's claimed supply	0	0	10	2	0	12
AY Supply	0	0	0	0	0	0
Difference	0	0	-10	-2	0	-12

Table 26 – 5HLS from site 1

23 - Liverpool Arms and former Sacred Heart RC Church and School, Borough Road BR Ref: BR010

6.93 The Council claims that 29 dwellings will be delivered in the 5YHLS from this site with 10 dwellings in plan year 2023/24 and 19 dwellings in 2024/25.

6.94 An outline planning permission (P/2004/1101) for 'residential development (all matters reserved for subsequent approval)' was approved on 22nd April 2005.

6.95 Full planning permission (P/2005/1033) for 'the erection of 130 residential apartments' was approved on 16th January 2008'.

6.96 There is no online evidence of any subsequent discharge of conditions applications in respect of the 2008 planning permission or any subsequent discharge of conditions or reserved matters applications in respect of the 2005 permission or that either of these permissions have been implemented. This has also been confirmed by a site visit by Avison Young.

6.97 As such, both permissions are now expired and a site visit by Avison Young has confirmed the site remains undeveloped.

6.98 The only evidence produced by the Council of the deliverability of this site is in SHBC004 which includes an updated SHLAA assessment for the site. The updated SHLAA assessment states:

"This is cleared, derelict site with an expired planning permission for apartments, but is now more likely to come forward for higher density housing. The site is owned by the local authority and redevelopment of this

¹⁹ Reference ID: 68-007-20190722

site is a corporate priority as part of the regeneration of this area of the town centre and therefore delivery is expected within the next 5 years."

6.99 The same updated SHLAA assessment concludes that the site is '**developable**' rather than '**deliverable**'.

6.100 The site does not benefit from any planning permission. In the absence of any further evidence produced by the Council in accordance with paragraph 007 of the PPG²⁰ and the Council's own HSNBP, the site should not be included in the 5YHLS.

6.101 This results in a **reduction of 29** dwellings from the 5YHLS as follows:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
<i>Council's claimed supply</i>	0	0	10	19	0	29
<i>AY Supply</i>	0	0	0	0	0	0
Difference	0	0	-10	-19	0	-29

Table 27 – 5HLS from site 23

82 - Land adjacent Laffak Road and Carr Mill Road

6.102 The Council claims that 135 dwellings will be delivered in the 5YHLS from this site with 45 dwellings in each of plan years 2023/24, 2024/25 and 2025/26.

6.103 In the HNSBP, the Council states that:

"Site was the subject of a planning application for a mixed use scheme including 150 residential units comprising of 57 houses, 1 bungalow, and 92 apartments (P/2019/0036/FUL) which was withdrawn in November 2019, to allow for flood risk, landscaping and acoustic issues to be addressed. Revised application likely soon."

6.104 The only further evidence produced by the Council of the deliverability of this site is in SHBC004 which includes an updated SHLAA assessment for the site. The updated SHLAA assessment states:

"There has been continuous interest from developers and there is a live planning application (P/2020/0153/FUL) for the site. Although the closest typology of modelled scheme indicates strong viability, this may be affected by land assembly, requirement to safeguard land for a proposed new railway station

²⁰ Reference ID: 68-007-20190722

and associated facilities (as indicated in Core Strategy policy CAS 1 criterion 5ii) and the LPSD policy LPA07 criterion 1e) and decontamination costs.”

6.105 The updated SHLAA assessment also concludes states that the site is **‘developable’** rather than **‘deliverable’** and that the site is **‘considered to be available in 6-10 years’**. The updated SHLAA assessment also states that:

“This site has some active uses on site, but is subject to a Development Brief to redevelop the site.”

6.106 A planning application (P/2020/0153/FUL) for ‘Demolition of cafe, car auction and existing buildings, re-alignment of Laffak Road and construction of 150 no residential units comprising of 26 houses, 2 bungalows, 34 maisonettes and 30 apartments and 54 over 55s apartments plus associated external works and landscaping (land for new train station to be retained)’ was validated on 26th February 2020 and is awaiting determination.

6.107 It is not clear why the application has not yet been determined but the most recent published consultation responses are dated May 2020 and there appear to be issues to address including parking, ecology and flooding matters. No further documents have since been uploaded to the Council’s planning register to suggest that the applicant has addressed these issues.

6.108 The site does not have an extant detailed permission and the Council has produced no clear evidence of deliverability in accordance with paragraph 007 of the PPG²¹ and the Council’s own HSNBP. Rather, the fact that the 2017 SHLAA stated that a revised application was ‘likely soon’ but an application was not submitted until 2020; and is still not determined due to unresolved highways, ecology and flood risk matters, suggests that the site is not deliverable.

6.109 A site visit by Avison young has confirmed that the site remains undeveloped and that active uses remain (e.g. Carr Mill Pallets and St.Helens Motor Auctions).

6.110 Therefore the site should be removed from the 5YHLS, resulting in a **reduction of 135** dwellings as follows:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
Council’s claimed supply	0	0	45	45	45	135
AY Supply	0	0	0	0	0	0
Difference	0	0	-45	-45	-45	-135

Table 28 – 5HLS from site 82

²¹ Reference ID: 68-007-20190722

126 - "Former Halton and St Helens PCT HQ, Cowley Hill

6.111 The Council claims that 32 dwellings will be delivered in the 5YHLS from this site with 10 dwellings in plan year 2023/24, 20 dwellings in 2024/25, and 2 dwellings in 2025/26.

6.112 Full planning permission (P/2018/0535/FUL) for the 'development of Specialist C2 use class accommodation for the elderly consisting of apartments with care, communal facilities, parking and associated amenity space) was granted on 29th November 2018 and remains extant.

6.113 However, in the HNSBP, the Council states that:

"Site has a planning permission for the development of Specialist C2 75 unit scheme (P/2018/0535/FUL). Some of the planning conditions were discharged in 2018. However, C2 developer has now pulled out, site is now being considered for C3 use."

6.114 The only further evidence produced by the Council of the deliverability of this site is in SHBC004 which includes an updated SHLAA assessment for the site. The updated SHLAA assessment states:

"Former PCT Headquarters is no longer in use. Planning permission was granted for the development of a specialist C2, 75 unit scheme (P/2018/0535/FUL). However, the C2 developer has since pulled out and it is understood that the site is currently being considered for C3 uses."

6.115 Therefore, the Council's own evidence demonstrates that the developer has pulled out of the site and the existing C2 permission will not be delivered. Furthermore, there is no evidence of any subsequent applications being made. A site visit by Avison young has confirmed that the site remains undeveloped.

6.116 There is clear evidence that the extant permission for C2 development will not be delivered and therefore the claimed 32 dwellings should be removed from the 5YHLS, resulting in a **reduction of 32** dwellings as follows:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
Council's claimed supply	0	0	10	20	2	32
AY Supply	0	0	0	0	0	0
Difference	0	0	-10	-20	-2	-32

Table 29 – 5HLS from site 126

Even if the site were to be included, as claimed by the Council, on the basis of the C2 permission, the number of dwellings would need to be reduced to 18 based on the conversion ratio of 1.8 that applies to C2 permissions in accordance with the PPG.²²

6.117 A summary of the sites and reductions made as a result of Avison Young's analysis is provided in Table 30 below which shows a total **reduction in the 5YHLS of 653** dwellings.

²² Reference ID: 63-016a-20190626

Council's Ref:	Site Name	Council	AY	Difference	Reason
Large Sites – planning permission not started					
HL496	Land at Elton Head Road, Lea Green	180	0	-180	Planning Permission expired and no clear and robust evidence of deliverability.
HL483	Ibstocks, Chester Lane	135	0	-135	Planning Permission expired and no clear and robust evidence of deliverability.
HL524	Clough Mill, Blundells Lane	10	0	-10	Active business on-site (Elm Construction). Only outline permission and no evidence of progress towards reserved matters.
HL525	Fishwicks Industrial Estate, Baxters Lane	90	0	-90	Expired outline permission. Currently active business operating at the site and no clear evidence deliverability.
HL706	The Club 337 – 341 Church Road Haydock	10	9	-1	Previous extant permission for 10 dwellings now superseded by application for 9 dwellings.
Large Sites – planning permission under construction					
HL537	Windlehurst Youth Centre Gamble Avenue	12	0	-12	Planning Permission expired and no clear and robust evidence of deliverability.
HL721	Stables Court, Frontfield Court And Cross Meadow Court Appleton Road	38	21	-17	Planning permission for C2 use – conversion to C3 required in accordance with PPG.
Large Sites – SHLAA sites					
1	Land rear of 1-27 Station Road	12	0	-12	No planning permission and no clear and robust evidence of deliverability.
23	Liverpool Arms and former Sacred Heart RC Church and School, Borough Road	29	0	-29	Brownfield Register site. Planning Permission expired and no clear and robust evidence of deliverability.
82	Land adjacent Laffak Road and Carr Mill Rd	135	0	-135	No planning permission and planning application under determination for over 15 months with evidence of ecology and flooding issues.
126	Former Halton and St Helens PCT HQ.	32	0	-32	Planning permission for C2 but developer has 'pulled out'.
Total				-653	

Table 30 – 'Large Sites' removed from SHMBC's claimed 5YHLS

6.118 As a result of Avison Young's analysis, despite the Council's claimed supply of 1,322 , a more realistic supply from Large Sites is **669** dwellings within the first 5 years of the plan period broken down as follows:

Local Plan 5 Year Housing Requirement	SHMC Claimed 5YHLS	More Realistic 5YHLS (AY)	Difference
Large Sites – planning permission not started	602	186	-416
Large Sites – planning permission under construction	512	483	-29
Large Sites – SHLAA sites	208	0	-208
Total contribution to 5YHLS	1,322	669	-653

Table 31 – 'Large Sites' contribution to 5YHLS

Local Plan Allocations (Source 4)

6.119 Draft Policy LPA05 (Meeting St. Helens Borough's Housing Needs) of the Submission Draft Local Plan sets out the 10no. sites that are proposed to be allocated for development. These are set out in Table 32 below.

Site Ref	Name	Area (Hectares)	Indicative Site Capacity (Total)	Green Belt?	Greenfield / Brownfield	Affordable Housing Zone
1HA	Land South of Billinge Road, East of Garswood Road and West of Smock Lane, Garswood	9.58	216	Yes	Greenfield	2
2HA	Land at Florida Farm (South of A580), Slag Lane, Blackbrook	23.19	522	Yes	Greenfield	2
3HA	Former Penlake Industrial Estate, Reginald Road, Bold	10.66	337	No	Brownfield	2
4HA	Land bounded by Reginald Road/Bold Road/Travers Entry/Gorsey Lane/Crawford Street, Bold (Bold Forest Garden Suburb)	132.86	2,988	Yes	Greenfield	2
5HA	Land South of Gartons Lane and former St. Theresa's Social	21.67	569	Yes	Greenfield	2

	Club, Gartons Lane, Bold					
6HA	Land East of City Road, Cowley Hill, Town Centre	31.09	816	No	Brownfield	1/2
7HA	Land West of the A49 Mill Lane and to the East of the West Coast Mainline railway line, Newton-le-Willows	8.03	181	No	Brownfield / Greenfield	2
8HA	Land South of Higher Lane and East of Rookery Lane, Rainford	11.49	259	Yes	Greenfield	3
9HA	Former Linkway Distribution Park, Elton Head Road, Thatto Heath	12.39	350	No	Brownfield / Greenfield	2
10HA	Moss Nook Urban Village, Watery Lane, Moss Nook	26.74	802	No	Brownfield	1

Table 32 - Sites Proposed to be Allocated for New Housing Development (Policy LPA05)

6.120 Of these 10no. allocations, the following 7 will constitute 'Strategic Housing Sites':

- 2HA: Land at Florida Farm (South of A580), Slag Lane, Blackbrook;
- 3HA: Former Penlake Industrial Estate, Reginald Road, Bold;
- 4HA: Land bounded by Reginald Road / Bold Road / Travers Entry / Gorsey Lane / Crawford Street, Bold (Bold Forest Garden Suburb);
- 5HA: Land South of Gartons Lane and former St.Theresa's Social Club, Gartons Lane, Bold;
- 6HA: Land at Cowley Street, Cowley Hill, Town Centre;
- 9HA: Former Linkway Distribution Park, Elton Head Road, Thatto Heath; and,
- 10HA: Moss Nook Urban Village, Watery Lane, Moss Nook.

6.121 Draft Policy LPA05.1 (Strategic Housing Sites) sets out specific requirements for these sites, notably any planning application for development within a Strategic Housing Site must be supported by a comprehensive masterplan covering the whole site. This masterplan must cover at least:

- a) amount of development and proposed uses;
- b) phasing of development across the whole site;

- c) indicative layout and design details for the whole site, that must provide for an attractive built form with high quality landscaping when viewed from within the development and elsewhere;
- d) measures to provide good levels of accessibility to the whole site by public transport, pedestrian and cycling links;
- e) indicative layout promoting permeability and accessibility by public transport, cycling and walking;
- f) a Green Infrastructure Plan addressing biodiversity, geodiversity, greenways, ecological network, landscape character, trees, woodland and water storage issues in a holistic and integrated way;
- g) measures to address any potential flood risk and surface water drainage issues in accordance with Policy LPC12;
- h) measures to promote energy efficiency and generation of renewable or low carbon energy in accordance with Policy LPC13;
- i) a comprehensive strategy for the provision of all new, expanded and / or enhanced infrastructure that is required to serve the development of the whole site; and
- j) how development of the site as a whole would comply with other relevant policies of the Local Plan.

6.122 As shown in Table 11, The Council claims an overall plan period supply from 'Allocations' (Council's source 4) of 3,718.

6.123 For the first five years of the plan period, the Council claims a supply from 'Allocations' of 575 (See Table 12 above).

6.124 We have made no deductions from the Council's claimed 5YHLS in respect of the 10 proposed allocations.

Small Sites Windfall Allowance (Source 5)

6.125 The SHLAA 2017 set out a small sites windfall allowance of 93 units per annum which is based on a long term trend of past delivery. Further detailed justification for this figure with reference to past delivery is set out at paragraph 4.10 of the HNSBP. This includes a 'sense check' of the small sites allowance established in the 2017 SHLAA which shows that the average gross completions from small

sites has averaged 103 units per annum over the past 10 years and 21% of all housing delivery in the Borough. Over the past 10 years the highest level of small sites delivery occurred in 2018/19 due to a high number of apartment schemes being delivered. As such, excluding 2018/19, the average completions is 93 dwellings per annum.

- 6.126 Given this evidence of past delivery, AY does not consider the Council's proposed small sites windfall allowance of 93 units per annum to be unreasonable.

7 Requirement vs Supply

- 7.1 The Council claims a 4.6 year supply of housing land in its latest updated position (SHBC007) based on an annualised requirement of 510 and a 5YHLS of 2,362.
- 7.2 As set out at 6.1 – 6.10 above, the Council has applied a 5% buffer to its 5 year housing requirement but should apply a 10% in accordance with the NPPF and PPG.
- 7.3 Based on Avison Young's analysis of the Council's claimed supply from 'Large Sites' and 'Allocations', the following reductions should be made to the claimed 5YHLS:
- Large Sites – planning permission not started: **-416**
 - Large Sites – planning permission under construction: **-29**
 - Large Sites – SHLAA sites: **-208**
 - **Total: -653**
- 7.4 This results in a realistic 5YHLS of **1,709** dwellings.
- 7.5 Table 33 presents a range of scenarios based on both 5 and 10% buffers and both the Council's claimed supply and a more realistic 5YHLS. In summary:
- Using a 5% buffer and the Council's claimed supply gives a 5YHLS position of 4.6 years (this is the Council's latest claimed position);
 - Using a 10% buffer and the Council's claimed supply gives a 5YHLS position of 4.4 years;
 - Using a 5% buffer and a more realistic supply gives a 5YHLS position of 3.4 years;
 - Using a 10% buffer and a more realistic supply gives a 5YHLS position of 3.2 years.
- 7.6 In conclusion, it is Avison Young's position that the 10% buffer should be applied, and therefore an annualised requirement of 535 applies. Following our detailed analysis of the claimed supply from 'Large Sites', a more realistic supply figure is 1,709 dwellings.
- 7.7 Therefore, the Council can only realistically demonstrate a **3.2 year** supply of housing land upon adoption of the plan.
- 7.8 In any scenario, the Council is unable to demonstrate a 5 year supply of housing land upon adoption of the plan.

	5% buffer and Council's claimed 5YHLS	10% buffer and Council's claimed 5YHLS	5% buffer and realistic 5YHLS	10% buffer and realistic 5YHLS
Housing Requirement (2021-2026)				
Local Plan Annual Housing Requirement (a)	486	486	486	486
Local Plan Housing Requirement 2016-2020 (b)	1944	1944	1944	1944
Housing Shortfall 2016 -2021 (c)	0	0	0	0
Local Plan Housing Requirement 2021-2026 (486*5)(d)	2430	2430	2430	2430
Local Plan Housing Requirement 2021-2026 (buffer applied)(e)	2552	2673	2552	2673
Annualised Housing Requirement (2552/5)(f)	510	535	510	535
Housing Land Supply (2021-2026)				
Large sites - planning permission not started(h)	602	602	186	186
Large sites - planning permission under construction (i)	512	512	483	483
Large sites - SHLAA sites (j)	208	208	0	0
Local Plan Allocations(k)	575	575	575	575
Small sites - allowance (93 x 5)(l)	465	465	465	465
Total(m)	2362	2362	1709	1709
Number of years of deliverable housing land (m/f)	4.6	4.4	3.4	3.2

Table 33 – 5 Year Requirement vs Supply

8 Conclusion

- 8.1 The St Helens Local Plan was submitted to the Secretary of State for Independent Examination on Thursday 29th October 2020.
- 8.2 Following the publication of the Inspectors PMIQs (INSP003) in January 2021, the Council published its response to the PMIQs (SHBC004) (March 2021) which included updated SHLAA site assessments, an updated trajectory and a composite spreadsheet of housing delivery over the plan period.
- 8.3 In May 2021, the Council published its updated employment and housing land supply position statement (SHBC007) which included an updated housing trajectory, a Local Plan 5 Year Supply Position as of the 31st March 2021; and an update of Policy LPA05 Table 4.6 of the LPSD. The Council's latest published position in respect of its trajectory and 5-year supply position is therefore contained in SHBC007.
- 8.4 The Council's overall housing requirement has changed somewhat through the preparation of the Local Plan. It has been reduced from 570 dwellings per annum at Preferred Options stage to 486 units per annum as is now proposed in draft Policy LPA05. The housing requirement figure of 486 represents a minor uplift on the local housing need calculated using the Government's standard method. The Council's specific affordable housing requirement is covered by the Tetlow King Affordable Housing Requirement Statement.
- 8.5 The Council's housing trajectory is made up of completions, sites with planning permission, housing allocations, sites without planning permission identified in the SHLAA and windfall' development, including development on small sites not individually identified in the SHLAA, sub-division of dwellings and conversions / changes of use.
- 8.6 It has published various iterations of its housing trajectory since the Local Plan was submitted, however SHBC007 sets out its latest updated trajectory for 2021 – 2037. Taking this latest trajectory into account, the Council's own assessment (Table 12 above) shows that the Council is only claiming to have a **4.6 year** supply of housing land.
- 8.7 Avison Young has provided details comments above in respect of the Council's assumed lead-in times and build out rates. Whilst the assumed build out rates appear reasonable, with reference to Lichfields' industry recognised 'Start to Finish' Reports and our own extensive experience, it is Avison Young's view that the Council's blanket 2 year lead-in time for sites with outline permission, and a blanket 2.5 year lead-in time for sites without permission would be rather optimistic. Furthermore, in the Council's

latest claimed trajectory (SHBC007) there is not a clear pattern of whether and how the Council's lead-in time assumptions have been applied to sites.

- 8.8 Avison Young has undertaken a detailed analysis and critique of SHMBC's claimed requirement and supply, including Large Sites (Council's sources 1,2 and 3); Local Plan Allocations (Source 4) and Small Sites Windfall Allowance (Source 5).
- 8.9 Our analysis of Large Sites shows that despite the Council's claimed supply of 1,322 , a more realistic supply from Large Sites is 584 dwellings within the first 5 years of the plan period. This is a reduction of 738 dwellings.
- 8.10 Our analysis of Local Plan Allocations shows that despite the Council's claimed supply of 575 dwellings, a more realistic supply from Allocations is 454 dwellings within the first 5 years of the plan period. This is a reduction of 121 dwellings. Over the entire plan period, despite the Council's claimed supply of 3,718 dwellings, a more realistic supply from Allocations is 3,564 dwellings. This is a reduction of 154 dwellings.
- 8.11 Our analysis of the small sites windfall allowance demonstrates that the Council's proposed small sites windfall allowance of 93 units per annum is considered by AY to be reasonable.
- 8.12 The Council claims a 4.6 year supply of housing land in its latest updated position (SHBC007) based on an annualised requirement of 510 and a 5YHLS of 2,362.
- 8.13 As set out at 6.1 – 6.10 above, the Council has applied a 5% buffer to its 5 year housing requirement but should apply a 10% in accordance with the NPPF and PPG.
- 8.14 Based on Avison Young's analysis of the Council's claimed supply from 'Large Sites' and 'Allocations', the following reductions should be made to the claimed 5YHLS:
- Large Sites – planning permission not started: **-416**
 - Large Sites – planning permission under construction: **-29**
 - Large Sites – SHLAA sites: **-208**
 - **Total: -653**
- 8.15 This results in a realistic 5YHLS of **1,709** dwellings.
- 8.16 Table 33 presents a range of scenarios based on both 5 and 10% buffers and both the Council's claimed supply and a more realistic 5YHLS. In summary:

- Using a 5% buffer and the Councils claimed supply gives a 5YHLS position of 4.6 years (this is the Council's latest claimed position);
- Using a 10% buffer and the Councils claimed supply gives a 5YHLS position of 4.4 years;
- Using a 5% buffer and a more realistic supply gives a 5YHLS position of 3.4 years;
- Using a 10% buffer and a more realistic supply gives a 5YHLS position of 3.2 years.

8.17 In conclusion, it is Avison Young's position that the 10% buffer should be applied, and therefore an annualised requirement of 535 and a more realistic 5YHLS of 1,709 dwellings apply. Therefore, the Council can only demonstrate a **3.2 year supply** of housing land. However, in any scenario, the Council is **unable to demonstrate a 5 year supply of housing land upon adoption of the plan.**

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**APPENDIX II – TETLOW KING’S AFFORDABLE HOUSING SUPPLY
REPORT (MAY 2021)**

Affordable Housing Supply Statement

Land off Chapel Lane, St Helens

Affordable Housing Supply Statement

Land off Chapel Lane, St Helens

Lovell Partnerships Ltd

May 2021

OUR REF: M20/1201-02.RPT

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Introduction

Section 1

- 1.1 **Tetlow King Planning** are instructed by **Lovell Partnerships Ltd** to prepare a Statement in respect of the supply of Affordable Housing within St Helens Borough, in relation to their proposals for land off Chapel Lane, St Helens. This Statement is in addition to Tetlow King Planning's Affordable Housing Statement.
- 1.2 This site is proposed to be delivered as a **100% affordable scheme**, with 50% affordable rent and 50% shared ownership using existing grant funding. As a consequence of the funding, the site is considered to be highly deliverable.
- 1.3 This Statement assesses the realistic supply of affordable housing in St Helens Borough for the period 2021/22 to 2036/2037, the proposed revised period of the emerging Local Plan (the submission plan previously covered the period 2020/21 to 2034/2035).

Affordable Housing Planning Policy

Section 2

Adopted Policy on Affordable Housing

- 2.1 The currently adopted Development Plan is the St. Helens Local Plan Core Strategy (adopted October 2012) which covers the period from 2003 to 2027.
- 2.2 Policy CH2 of the Core Strategy seeks to meet St. Helens' housing needs and states that this will be achieved by the delivery of Affordable Housing including by requiring all private sector development on sites of 5 or more units to comply with a Borough-wide target of at least 30% of the total capacity of the new residential development. Any relaxation of the requirement will only be considered if fully justified by an independent site-specific economic viability study.

Emerging Policy on Affordable Housing

- 2.3 Emerging Policy LPC02 (Affordable Housing) of the Submission Draft Local Plan sets out in detail the requirements for affordable housing of different tenures and in different areas of the Borough.
- 2.4 It requires that proposals for new open market housing developments of 10 units or more will be required to contribute as follows:
- a) at least 30% of new dwellings provided on greenfield sites in Affordable Housing Zones 2 and 3 must fall within the definition of 'affordable housing';
 - b) at least 10% of new dwellings provided on brownfield sites in Affordable Housing Zone 3 must fall within the definition of 'affordable housing'.
- 2.5 The policy goes on to state that provision of affordable housing may vary on a site-by-site basis taking into account evidence of local need and where appropriate, the economic viability of the development but that any relaxation of the affordable housing requirements will only be supported if:
- a) it is fully justified by an independent site-specific viability appraisal; and

- b) the benefits of proceeding with the development outweigh the failure to provide the full affordable housing contribution.

2.6 Table 1 below sets out the proposed Affordable Housing Zone requirements¹ and a plan (taken from Figure 6.1 in the Submission Draft Plan) is included at **Appendix 1** for reference.

Affordable Housing Zone	Areas	Affordable Housing Requirement
1	Town Centre and Parr wards	No affordable housing requirement due to viability constraints
2	Blackbrook, Bold, Earlestown, Haydock, Sutton, Thatto Heath, West Park Billinge & Seneley Green, Moss Bank, Newton, Windle	30% requirement on greenfield sites 0% requirement on brownfield sites
3	Eccleston, Rainford, Rainhill	30% requirement on greenfield sites 10% requirement on brownfield sites

Table 1 - Affordable Housing Zones

2.7 Justification for the proposed Affordable Housing Zones is detailed with the Economic Viability Assessment (December 2018) which was prepared by Keppie Massie and forms part of the Local Plan Evidence Base.

¹ Derived from Table 6.3 of the Submission Draft Local Plan (January 2019).

Past Delivery

Section 3

Past Affordable Housing Delivery

- 3.1 As identified in the Affordable Housing Statement, since 2005/06 there have been a total of 7,707 overall housing completions and 1,680 gross affordable housing completions, equivalent to an average of just 112 gross affordable dwellings per annum. When losses as a result of the Right to Buy are taken into account, the Council achieved a total of just 1,161 affordable dwellings, or just 75 dwellings per annum.
- 3.2 The number of affordable homes compared with overall completions is, at an average of only 15.1% significantly below the Core Strategy's target of 30%.

Identified Net Annual Needs

- 3.3 As identified in the Affordable Housing Statement, there have been a range of assessments of housing need in St Helens in recent years. The most relevant is the Strategic Housing Market Assessment Update in January 2019.
- 3.4 The SHMA provides an update for St Helens Borough Council to the Mid Mersey Strategic Housing Market Assessment produced in 2016 (referred to in the Local Plan).
- 3.5 The 2019 analysis has been based on meeting affordable housing need over the 17-year period from 2016 to 2033 taking into account current need, newly forming households and existing households falling into need, less the supply of affordable houses from vacant stock and the development pipeline.
- 3.6 At figure 5.22 of the SHMA, it calculates an overall need for affordable housing of **117** units per annum over the period to 2033 in St Helens for subsidised housing at a cost below that to access the private rented sector (i.e. for households unable to access any form of market housing without some form of subsidy).
- 3.7 The future delivery of affordable housing is highly uncertain. Past delivery has fluctuated considerably and the delivery of a high number of affordable homes one year does not guarantee this will continue for future years. The supply of affordable housing is affected by local market factors, including the numbers of sites with planning permission and also wider national factors including availability of public funding.

- 3.8 Although the SHMA seeks to deal with the backlog over the period that it assesses, any shortfall in delivery should be dealt with within the next five years in accordance with the 'Sedgefield' approach. This is also the approach set out within the PPG.
- 3.9 Figure 3.1 (taken from the Affordable Housing Statement) provides an illustration of the annual affordable housing need when the Sedgefield approach is applied, addressing backlog needs within the first five years.
- 3.10 This shows that when backlog needs accrued since 2016 are taken into account (-293 dwellings), there is a need for 176 net affordable homes per annum for the submitted five-year period between 2020/21 and 2024/25.

Figure 3.1 – Net annual need in St Helens taking into account Sedgefield based on the submitted plan period of 2020/21 to 2035/36

A	Net Affordable housing need identified in the 2019 SHMA update (per annum)	117
B	Net Affordable housing need for the period 2016/17 – 2019/20 (A x 4)	468
C	Affordable housing completions for the period 2016/17 – 2019/20	175
D	Shortfall/backlog of affordable housing against need for the period 2016/17 – 2019/20 (B – C)	293
E	Backlog affordable housing need required to be addressed over the 5-year period 2020/21 – 2024/25 (D / 5) (per annum)	59
F	Full affordable housing need required over the period 2020/21 – 2024/25 (E + A) (per annum)	176

- 3.11 Since submission of the Affordable Housing Statement, the Council has extended the period of the Plan to 2037 and provided a figure of 276 affordable dwellings as being those completed in the monitoring period 2020/2021. On this basis the annual net need over the five-year period is set out in Figure 3.2.

Figure 3.2 – Net annual need in St Helens taking into account Sedgefield based on the revised Plan period

A	Net Affordable housing need identified in the 2019 SHMA update (per annum)	117
B	Net Affordable housing need for the period 2016/17 – 2020/21 (A x 5)	585
C	Affordable housing completions for the period 2016/17 – 2020/21	451
D	Shortfall/backlog of affordable housing against need for the period 2016/17 – 2020/21 (B – C)	134
E	Backlog affordable housing need required to be addressed over the 5-year period 2021/22 – 2025/26 (D / 5) (per annum)	27
F	Full affordable housing need required over the period 2021/22 – 2025/2026 (E + A) (per annum)	144

Sources of Supply/Loss of Affordable Housing

Section 4

- 4.1 This Section of the report sets out the various sources of supply from which the council expects affordable housing to be delivered, and sets out Tetlow King Planning's methodology for assessing the realistic supply of affordable housing from each source, plus additional sources Tetlow King Planning has identified (i.e. Commuted Sums). We also take into account losses from Right to Buy losses.
- 4.2 The Council published its most recent (May 2021) version of its Housing Trajectory for the period 2021 – 2037 with a base date of 31.03.2021, including an update to all 2017 SHLAA sites and any new sites with planning permission.
- 4.3 The Council's overall supply comprises the following sources:
- 1) Large Sites - planning permission not started (including SHLAA 2017 sites that have since gained planning permission but not started);
 - 2) Large sites - planning permission under construction (including SHLAA 2017 and new large sites with planning permission and under construction);
 - 3) Large sites - SHLAA sites (including SHLAA 2017 sites with planning permission that has now expired);
 - 4) Local Plan Allocations (including those previously counted as SHLAA sites, 3HA, 6HA, 9HA and 10HA); and,
 - 5) Small sites allowance (93 dwellings per annum).
- 4.4 We have analysed these sites to establish the likely level of affordable housing to be delivered from each of these sources.
- 4.5 We have then identified when within the trajectory the affordable houses are likely to be delivered, with particular emphasis on the first five years.

Sites in the Council's Large Site Trajectory 2021/22 – 2036/37 (sources 1-3 above)

Sites with Extant Planning Permission (sources 1 and 2 above)

- 4.6 Where these sites have extant planning permission, we have used the number of affordable houses secured by that permission (through a condition or s106) to establish the likely number of affordable houses to be delivered.
- 4.7 Affordable Housing delivery may vary on a site-by-site basis taking into account the economic viability of the development. In some cases, a relaxation of the affordable housing requirements will be supported if it is fully justified by an independent site-specific viability appraisal and the benefits of proceeding with the development outweigh the failure to provide the full affordable housing contribution.
- 4.8 Alternatively, some sites may provide more affordable housing than required by policy LPC02, where the applicant is a Registered Provider and the total number of affordable houses are secured by planning condition or s106.

SHLAA Sites (source 3 above)

- 4.9 Where sites in the trajectory do not have planning permission, we have assessed the likely number of affordable houses to be delivered, based on the requirements of Emerging Policy LPC02 (Affordable Housing) of the Submission Draft Local Plan 2021-2037.
- 4.10 As identified in Section 2 above, the emerging policy sets out in detail the requirements for affordable housing of different tenures and in different areas of the Borough based on their viability and requires that proposals for new open market housing developments of 10 units or more will be required to contribute at least 30% of new dwellings as affordable units on greenfield sites in Affordable Housing Zones 2 and 3; and at least 10% of new dwellings provided on brownfield sites in Affordable Housing Zone 3. No affordable housing is required for proposals of less than 10 units or within Housing Zone 1, or on Brownfield sites in Housing Zone 2.
- 4.11 Where sites are within both greenfield and previously-developed land, we have assessed the site to establish whether it is predominantly brownfield or greenfield to identify the correct requirement.
- 4.12 We have also then assessed the likelihood of each site to be delivered based on the comments within the 2017 SHMAA and the site's planning history available on the Council's website. We provide two trajectories, one based on the Council's

assessment of sites to be delivered (**Appendix 2**) and one based on our own assessment (**Appendix 3**).

Local Plan Allocations (source 4 above)

- 4.13 Tetlow King Planning have carried out analysis of the likely supply of overall housing and affordable housing from the Council's 10 proposed allocations. This analysis is presented at **Appendix 4**.

Windfalls and Small Sites (source 5 above)

- 4.14 All 465 windfall/small site dwellings in the claimed five-year housing land supply would be from sites below 10 dwellings capacity and would therefore not meet the ten dwelling threshold in the proposed policy wording (or the current policy's 15 dwelling threshold for on-site provision).
- 4.15 The Small Sites Windfall Allowance as a source of supply would not therefore deliver any affordable housing over the first five years of the plan period or for the rest of the period.

Commuted Sums

- 4.16 The current adopted Core Strategy policy CH2 details the Council's policy regarding affordable housing. It sets a threshold of 5 units, making clear that proposals of between 5 and 15 units would only normally be expected to provide an off-site commuted sum. The dwellings purchased by the Council from these funds would be a further source of affordable housing supply. Emerging Policy LPC02 however only requires contributions for proposals of 11 or more dwellings.

Average Annual Right to Buy losses

- 4.17 As we identified in the Affordable Housing Statement, it is important that losses through the Right to Buy are taken into account, to reflect the actual level of affordable houses available.
- 4.18 We have noted the response given by GL Hearn on behalf of the Council during Matter 2 and respond to this in Chapter 5.
- 4.19 Data is available on Right to Buy losses from the MCHLG's Private Registered Provider Social Housing Stock in England: Statistical Data Returns.
- 4.20 As shown by Figure 4.1, for the four-year period since the base date of the SHMA (2016/17 to 2019/20), there were a total of 291 affordable houses lost to the Right to

Buy over that period, an annual average of 73. 2019/20 is the most recent data available.

Figure 4.1 – Right to Buy losses 2016/17 to 2019/20

Year	Affordable Housing Completions <u>gross</u> of Right to Buy	Right to Buy losses	Affordable Housing Completions <u>net</u> of right to buy
2016/17	66	76	-10
2017/18	80	63	17
2018/19	128	76	52
2019/20	192	76	116
	466	291	175

Source: St Helens Annual Monitoring Reports, Private Registered Provider Social Housing Stock in England: Statistical Data Returns

- 4.21 When calculating the number of affordable homes likely to be delivered over the period 2021/22 to 2036/37, this average number should be used to give an indication of Right to Buy losses. Over 16 years this amounts to 1,168 affordable dwellings lost.

Analysis of Supply

Section 5

- 5.1 Tetlow King Planning has analysed the likely future supply of affordable housing in St Helens Borough for the period 2021/22-2036/37. Our assessment has focused on the large sites (10+ dwellings) in the Council's trajectory, together with the potential additional source of supply from commuted sums.
- 5.2 The analysis undertaken using methodology set out in Section 4 has been undertaken.
- 5.3 Of the 75 Large Sites included the trajectory, 22 would provide affordable housing between 2021-2037. A breakdown of the sites is illustrated at Figure 3.1 and a full breakdown is available at **Appendix 2** (based on the Council's trajectory) and **Appendix 3** (reflecting what we believe to be a more realistic position).
- 5.4 The emerging policy proposes that no affordable housing is sought for proposals within Zones 1 and (on brownfield site) in Zone 2. This change means that many sites that had to make 30% provision (or a commuted sum) under the current adopted policy would under the emerging policy make no provision for affordable housing at all.
- 5.5 Figure 5.1 demonstrates a total of 471 affordable dwellings will be brought forward from Large Sites over the sixteen-year period, this figure may be lower because of demolitions.

Figure 5.1 – Analysis of Affordable Housing from Large Sites 2021/22-2036/37

Site Ref	Status	Site	Total Capacity	AH Capacity	AH 2021 to 2025/26	AH 2026/27 to 2036/37
10	PP not started	Land at Junction of Sunbury Street and Fir Street	30	30	30	0
16	SHLAA Site	Land at Egerton Street	12	12	12	0
27	SHLAA site	Farmer Bethell Mission Bowling Green, Marsden Avenue	10	3	0	3
36	PP not started	Land & Premises at Lords Foods	55	3	3	0
60	SHLAA site	Vacant Land adjacent to Rail Line, Elephant Lane	112	34	0	34
82	SHLAA site	Land adjacent Laffak Rd and Carr Mill Rd	150	45	0	45
87	SHLAA site	Land West of Vista Road	33	10	0	10
89	PP not started	Land rear of 64-94 Marshalls Cross Road	32	32	32	0
91	SHLAA Site	Milton Street	25	8	0	8
96	SHLAA site	Land rear of 350 Warrington Road	11	3	3	0
NT06	PPUC	Phase 4 Land Site Of Former Vulcan Works Wargrave Road	86	9	9	0
134	SHLAA site	Land at Littler Road	11	4	0	4
135	SHLAA site	Land at Newby Place	13	4	0	4
150	SHLAA site	Former Red Quarry, Chester Lane	57	80	0	80
NT03	PP not started	Land to side and rear of 41- 49 Old Wargrave Road	20	6	0	6
HL525	PP not started	Fishwicks Industrial Estate, Baxters Lane	93	6	0	6
PR12	PP not started	Land adjacent to Bold Miners Site, WA9 2NH	50	50	50	0
HL651	PPUC	Emmanuel Church, Elephant Lane, St Helens	18	18	18	0
HL713	PPUC	Land between Sutton Road, Lancot Lane and Dismantled Railway Line	63	63	63	0
HL706	PP not started	The Club, 337 to 341 Church Road, Haydock	9	3	3	0
HL708	PP not started	1 Milwood Avenue, Eccleston	36	36	36	0
HL723	PP not started	The Phoenix Hotel, Canal Street, St Helens	12	12	12	0
TOTALS			939	471	271	200

Windfalls and Small Sites

- 5.6 As identified above, it is not considered that these sites would contribute to affordable housing supply.

Proposed Allocation Sites

- 5.7 Analysis of the Council's ten proposed housing allocations and how much they will contribute to the overall supply of housing and the supply of affordable housing is included at **Appendix 4**. In terms of affordable housing, this is summarised in Figure 5.2 below.

Figure 5.2 – Affordable houses from Proposed Allocations

	2021/22 to 2025/26	Rest of Plan Period	Total
1HA Land South of Billinge Road, Garswood	6	59	65
2HA Land at Florida Farm (South of A580), Slag Lane, Blackbrook	0	0	128
3HA Former Penlake Industrial Estate, Reginald Road, Bold	7	0	7
4HA Land bounded by Reginald Road/Bold Road/Travers Entry/Gorsey Lane/Crawford Street, Bold (Bold Forest Garden Suburb)	0	126	126
5HA Land South of Gartons Lane and former St. Theresa's Social Club, Gartons Lane, Bold	7	148	155
6HA Land East of City Road, Cowley Hill, Town Centre	0	0	0
7HA Land West of the A49 Mill Lane and to the East of the West Coast Mainline railway line, Newton-le-Willows	3	25	28
8HA Land South of Higher Lane and East of Rookery Lane, Rainford	7	71	78
9HA Former Linkway Distribution Park, Elton Head Road, Thatto Heath	0	0	0
10HA Moss Nook Urban Village, Watery Lane, Moss Nook	0	0	0
Total	30	557	587

- 5.8 Based on the analysis at **Appendix 4**, the ten proposed allocations will likely deliver just **587 affordable dwellings over the plan period**.
- 5.9 Turning to the supply of affordable housing from the allocations within the 5YHLS, the allocations will likely deliver just **30 affordable dwellings over the first five years of the plan period**.
- 5.10 This leaves a substantial shortfall that the other sources of supply will need to make up if the Council is to deliver the required affordable housing.

Commuted Sums

- 5.11 The Annual Monitoring Report 2020 identifies that between 2015/16 and 2019/20 the Council received £1,764,869 in commuted sums for affordable housing in lieu of on-site provision.
- 5.12 The Government consultation (August 2018) on the “*Use of receipts from Right to Buy sales*” attached as **Appendix 5**, indicated that the cost of building an affordable home in the North West to be £122,000.
- 5.13 Therefore, based on the total £1,764.869 collected this would only deliver 14 affordable homes over 5 years (47 over 16 years).
- 5.14 The emerging policy sets a threshold of 11 units for affordable housing and does not continue the previous requirement for commuted sums for schemes of between 11 and 15 dwelling proposals. Therefore, the number of commuted sums is likely to be fewer than in previous years.
- 5.15 For the purposes of this assessment, we have assumed a similar number (14 dwellings) can be used for supply from this source for the period 2021/2022 to 2036/37, with the caveat that even this figure is too high.

Average Annual Right to Buy Losses

- 5.16 As identified above there are likely to be losses of affordable houses every year of an average of 73 affordable dwellings through the Right to Buy.
- 5.17 The net addition to affordable housing stock is directly affected by the loss of stock available, to help house those in housing need, by the sale of properties covered by the Government’s Right to Buy scheme.
- 5.18 The losses made in St Helens need to be replaced on a one-for-one basis – over the 16 year period of the emerging Plan this amounts to a requirement for 1,168 additional affordable dwellings, just to make up for those lost to the Right to Buy.

- 5.19 Just to replace the dwellings lost through Right to Buy the Authority would need to deliver 3,893 market dwellings, assuming 30% of these would be affordable. In reality it would be a much greater number given that provision in the Borough is not 30% and varies between 0% and 30%. This is just to stand still, before any inroad is made into meeting the housing need.
- 5.20 We have noted the responses given by GL Hearn on behalf of the Council during Matter 2, to the effect that a Right to Buy purchase is completed by an individual who remains in the property and therefore there should be no impact on the calculation of the *requirement* figure.
- 5.21 This approach is not consistent with well-established approaches to affordable housing as a specific type of housing.
- 5.22 However, it is particularly inapt when calculating future affordable housing supply. The house purchased through Right to Buy is lost to future occupiers and cannot then form part of the future supply.
- 5.23 It has been established across a number of Inspector's appeal decisions that RTB losses must be deducted from the supply, because of the specific nature of the withdrawal of such dwellings. We refer in particular to the appeal decision at North Worcestershire Golf Course (appeal reference APP/P4605/W/18/3192918) where the right to buy losses also resulted in significant reductions to the net affordable housing completions. The Inspector noted at paragraph 9.49 of the appeal decision:
- "Mr Stacey's evidence on affordable housing provision was not challenged. Table 7.1 of his proof shows that, over the first 6 years of the plan period 2,757 new affordable homes were provided against a target provision of 5,820 (6x970). When the losses of social rented dwellings through right to buy purchases is taken into account that equates to a net provision of only 151 new affordable homes over that period (Mr Stacey's Tables 7.2 & 7.3) against an identified need for 970 affordable homes each year. This represents only 1% of all completions over those 6 years and 3% of the affordable housing need for that period. It has also resulted in a net delivery shortfall of 5,669 affordable homes over the plan period to date"*
- 5.24 Similarly in the appeal at Land off Darnhall School, Winsford, Cheshire West and Chester (reference APP/A0665/W/14/2212671) at **Appendix 6**, the Inspector recognised (at paragraph 409) that *"affordable homes have continually been lost from the stock as a result of the 'right to buy'".*

- 5.25 Furthermore, a one-for-one approach in respect of replacements for those lost through the Right to Buy has been taken in Strategic Housing Market Assessments and very recently in Local Housing Needs Assessments (LHNA).
- 5.26 For example, the Cotswold District Council SHMA Further Update, Affordable Housing (April 2016), at Table 2.5, identified that *“the requirement for 711 Affordable Rented and 365 new social rented homes is the net increase required and so any loss of this stock through Right-to-Buy will also need to be replaced with equivalent dwellings.” (our emphasis).*
- 5.27 More recently, the LHNA undertaken in Middlesbrough in January 2021 identified (at paragraph 4.70) that:
- “Any losses from the current stock (such as demolition or clearance, or sales through Right to Buy) would also increase the number of affordable dwellings needed by an equivalent amount. Only then is it possible to consider how the number of homes identified within the affordable housing need can be delivered on qualifying sites to establish the relevant percentage.” (our emphasis).*
- 5.28 Losses as a result of the Right to Buy are a significant problem locally and nationally. The national and regional sales arising from the Right to Buy scheme are set out in quarterly MHCLG Statistical releases. The most recent statistical release was published on 21 January 2021, covers the period October to December 2020.
- 5.29 The release provides a brief history of the Right to Buy Scheme and indicates, *“The Right to Buy scheme was introduced in 1980 and gives qualifying social tenants the opportunity to buy their rented home at a discount. The scheme is open to secure tenants of local authorities and non-charitable PRPs, and to those assured tenants of PRPs who have transferred with their homes from a local authority as part of a stock transfer. To qualify for the Right to Buy scheme, a social tenant must have accrued at least three years public sector tenancy. This does not need to be continuous, nor does it need to have been accrued whilst living in the tenant’s current property.”*
- 5.30 Furthermore, the release at Table 1 (replicated below) identifies the quarterly and annual number of Right to Buy sales since 2006/7. Whilst a total is not provided there have been 134,460 sales in just under 15 years. The annual average of sales is 8,964 homes over the 15 years between 2006/07 and 2020/21.

Table 1: Quarterly Right to Buy sales, England 2006-07 to Q3 2020-21

Year	Q1	Q2	Q3	Q4	Total
2006-07	4,655	4,538	4,470	4,021	17,684
2007-08	3,553	3,454	2,954	2,082	12,043
2008-09	1,286	851	455	277	2,869
2009-10	293	532	789	761	2,375
2010-11	657	689	714	698	2,758
2011-12	615	764	693	566	2,638
2012-13	442	1,041	2,010	2,451	5,943
2013-14	2,178	2,833	2,847	3,374	11,232
2014-15	2,852	2,845	3,294	3,318	12,310
2015-16	2,779	2,939	3,253	3,280	12,251
2016-17	3,417	3,251	3,469	3,304	13,442
2017-18	3,017	3,054	3,272	3,272	12,616
2018-19	2,607	2,575	2,887	2,842	10,910
2019-20	2,514	2,731	2,545	2,782	10,572
2020-21	1,560	1,732	1,525		4,817

Source: MHCLG Right to Buy Sales in England: October to December 2020

- 5.31 The seriousness of the impact was considered in a Newspaper article in the Independent newspaper on 21 June 2020. The reporter considered how Council housing sell-off continues as government fails to replace most homes sold under Right to Buy.
- 5.32 It advised that, *“Two-thirds of the council homes sold off under Right to Buy are still not being replaced by new social housing despite a promise by the government, official figures show.”*
- 5.33 It went on to say that *“Housing charities warned that enough “desperately needed” genuinely affordable housing is simply not being built, with an overall net loss of 17,000 homes this year from social stock. Since the policy was updated in 2012-13, 85,645 homes have been sold through the policy, but only 28,090 built to replace them, statistics from the Ministry of Housing, Communities and Local Government show”.*

- 5.34 The article goes on to quote Jon Sparkes, chief executive at homelessness charity Crisis, who said: *“These statistics demonstrate just how serious the current housing crisis is. What few social homes that are available are largely being removed from the market as part of Right to Buy, and the supply is not being replenished in line with this. People in desperately vulnerable circumstances are being left with dwindling housing options as a consequence of our threadbare social housing provision. This is all the more worrying considering the rise we expect in people being pushed into homelessness as a result of the pandemic.”*

Total Number of Affordable Houses To Be Delivered

- 5.35 Taking all these factors together we estimate that the number of affordable housing that would be delivered in total, based on the Council’s trajectory, are a net gain of only 41 affordable dwellings over the length of the Local Plan period, when Right to Buy losses are taken into account.

Figure 5.3 – Likely Affordable Housing Delivery 2021/22 to 2036/37 based on the Council’s Trajectory

	2021/22 to 2025/26	Rest of Plan Period 2026/27 to 2036/37	Total 2021/22 to 2036/37
Large Sites within Trajectory	314	261	575
Proposed Allocation Sites	30	557	587
Commuted Sums	14	33	47
Minus Average Annual Right to Buy losses	-365	-803	-1,168
Total	-7	48	41

Source: SHBC Trajectory Updated May 2021, Private Registered Provider Social Housing Stock in England: Statistical Data Returns

- 5.36 However, based on our analysis of sites to be included in the trajectory, the number of affordable houses delivered would be even less with a net loss over the length of the plan period of -63 dwellings:

Figure 5.4 - Likely Affordable Housing Delivery 2021/22 to 2036/37 based on Tetlow King Planning's Trajectory

	2021/22 to 2025/26	Rest of Plan Period 2026/27 to 2036/37	Total 2021/22 to 2036/37
Large Sites within Trajectory	271	200	471
Proposed Allocation Sites	30	557	587
Commuted Sums	14	33	47
Minus Average Annual Right to Buy losses	-365	-803	-1,168
Total	-50	-13	-63

Source: SHBC Trajectory Updated May 2021, Private Registered Provider Social Housing Stock in England: Statistical Data Returns (2012 to 2020)

Affordable Housing Delivery Against Identified Needs

- 5.37 Clearly, both figures fall very substantially short of the needs identified in the St Helens Strategic Housing Market Update December 2019 (Examination Library reference HOU001).
- 5.38 Even where sites are delivering affordable houses, the greatest numbers would not be delivered until the latter part of the trajectory period, after five years.
- 5.39 When considering future affordable housing delivery against the expected delivery undertaken by Tetlow King Planning, the Council would make a loss in the number of gross affordable dwellings per annum, over the next five years (-7 or -50) and over the length of the Local Plan period would make either a very marginal gain or a greater loss of affordable dwellings (+41 or -63).
- 5.40 Clearly these future supply figures fall significantly short of the 144 per annum figure (720 over the first five years) required when backlog needs are addressed in line with the Sedgefield approach and the 117 figure for the remaining plan period once the backlog has been dealt with in the first five years.
- 5.41 When average losses as a result of the Right to Buy are taken into account, it is clear that the Council is facing a bleak prospect of delivering very few additional affordable dwellings. The Council is not in any meaningful way seeking to boost the supply of affordable housing, based on our analysis of the available sites.

Conclusion

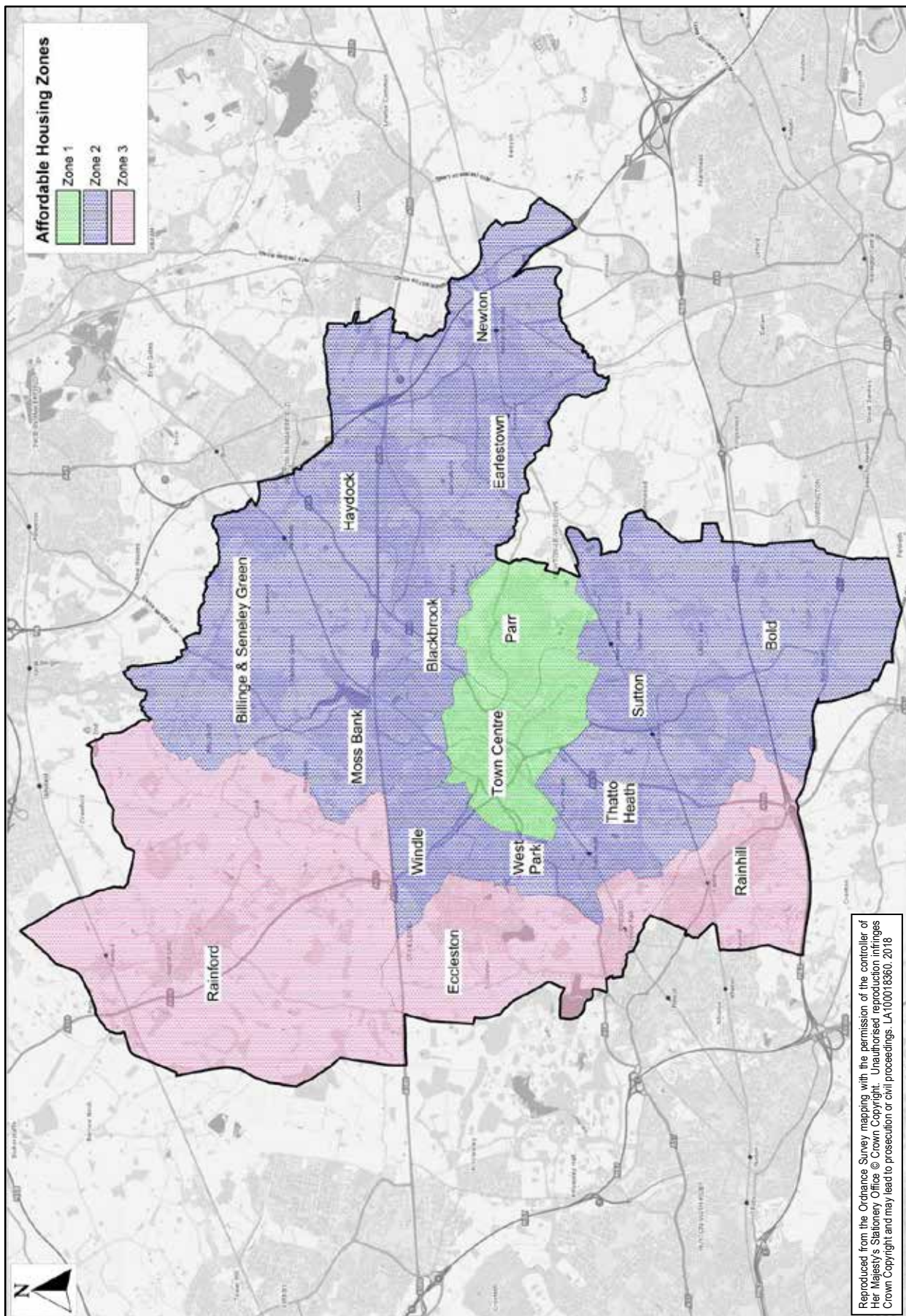
- 5.42 There can be no confidence that the Council can provide a sufficient number of affordable houses through its trajectory to meet affordable housing needs, particularly in the first five years. We believe that the delivery of affordable housing will collapse.
- 5.43 The need for affordable housing in St Helens is significant and substantial. These are real people in real need, now. This requires step change in the delivery of affordable housing to meet the new annual needs requirements.
- 5.44 Consequently, it makes it even more important that suitable sites, such as the site at Chapel Lane which propose 100% affordable housing development are allocated.

Appendix 1

Proposed Affordable Housing Zone requirements



Figure 6.1: Affordable Housing Zones



Appendix 2

SHBC Trajectory



Appendix 2: SHBC Trajectory

											SHBC Trajectory				Commuted Sum	Comments
Site ref	Location	Ward	Greenfield or Brownfield	Status	Total Outstanding Units	Emerging Policy AH Zone	Emerging AH Policy Threshold % age on 10 or more	AH based on emerging policy	Adopted Local Plan Threshold LC02	AH based on adopted policy LC02	2021/22 to 2025/26	2026/27 to 2030/31	2031/32 to 2036/37	Total		
10	Land at Junction of Sunbury Street and Fir Street	Thatto Heath	Brownfield	PP not started	30	2	0%	0	NA	NA	30	0	0	30	NA	Permission granted P/2018/0882/FUL, condition for 30% to be AH but RP is developer and approved scheme discharged by conditon is for 30
13	Land rear of Carnegie Crescent and Goodban Street	Parr	Brownfield	SHLAA site	7	1	0%	0	NA	NA	0	0	0	0	NA	Previous outline P/2004/1383. No evidence of any Reserved matters application and has therefore expired
16	Land at Egerton Street	Town Centre	Greenfield	SHLAA site	12	1	NA	NA	30%	0%	12	0	0	12	N/A	No evidence online that construction has commenced though reasonable to expect it will come forward given the recent permission - P/2020/0583/FUL. 100% AH, conditioned to provide 30% minimum
18	Land at Somerset St and Sussex Grove	Parr	Brownfield	SHLAA site	66	1	0%	0	NA	NA	0	0	0	0	NA	
19	Leyland Green Road	Billinge & Seneley Green	Greenfield	SHLAA site	8 of 9	2	0%	0	NA	NA	0	0	0	0	NA	P/2020/0478/FUL granted - no officer report or s106
22	Land at Corder of Fairclough St and Wargrave Rd	Earlestown	Brownfield	SHLAA site	14	2	0%	0	NA	NA	0	0	0	0	NA	
23	Liverpool Arms and former Sacred Heart RC Church and School	Town Centre	Brownfield	SHLAA site	29	1	0%	0	NA	NA	0	0	0	0	NA	
25	Alexandra Park - Former Pilkington HQ	West Park	Both	SHLAA site	162	2	0%	0	NA	NA	0	0	0	0	NA	The site is mostly brownfield so it is considered that the 0% requirement would apply
27	Farmer Bethell Mission Bowling Green, Marsden Avenue	West Park	Greenfield	SHLAA site	10	2	30%	3	NA	NA	0	3	0	3	NA	Former permission P/2010/0638 for 16 units of 100% AH conditioned as such but no evidence it was implemented
31	Former Sutton Arms PH, Elephant Lane	Thatton Heath	Brownfield	SHLAA site	18	2	0%	0	NA	NA	0	0	0	0	NA	P/2011/0651 Commuted sum agreed but no evidence it was implemented
36	Land & Premises at Lords Foods	Rainsford	Brownfield	PP not started	55	3	10%	18	NA	NA	3	0	0	3	NA	Condition 3 of permission P/2020/0580/VRC confirms 3 AH
58	Former Central Works	Haydock	Brownfield	SHLAA site	48	2	0%	0	NA	NA	0	0	0	0	NA	
59	Site of Former 56-120 Ecclestone St	Town Centre	Brownfield	SHLAA site	13	1	0%	0	NA	NA	0	0	0	0	NA	
60	Vacant Land adjacent to Rail Line, Elephant Lane	Thatto Heath	Greenfield	SHLAA site	112	2	30%	34	NA	NA	0	34	0	34	NA	No historic or live application, not clear where capacity figure has been derived from
61	Land North and South of Corporation Street	Town Centre	Brownfield	SHLAA site	169	1	0%	0	NA	NA	0	0	0	0	NA	SHLAA 2017 assessment says possibly an AH scheme
63	Land at Waterdale Crescent	Sutton	Brownfield	SHLAA site	10	2	0%	0	NA	NA	0	0	0	0	NA	
64	BT Depot, Sutton Road	Town Centre	Brownfield	SHLAA site	36	1	0%	0	NA	NA	0	0	0	0	NA	
65	Former Pumping Station, Sutton Road	Town Centre	Brownfield	SHLAA site	10	1	0%	0	NA	NA	0	0	0	0	NA	
66	Land off Wargrave Road	Newton	Both	SHLAA site	7	2	0%	0	NA	NA	0	0	0	0	NA	
69	Site of Former Parr Community High School, Fleet Lane	Parr	Brownfield	SHLAA site	54	1	0%	0	NA	NA	0	0	0	0	NA	
72	Site of Former St Marks Primary School, Willow Tree Avenue	Sutton	Brownfield	SHLAA site	18	2	0%	0	NA	NA	0	0	0	0	NA	
74	Site of Former 119-133 Crow Lane West	Earlestown	Brownfield	SHLAA site	9	2	0%	0	NA	NA	0	0	0	0	NA	
75	Christ Church Parish Hill, Chapel Lane	Eccleston	Brownfield	PP not started	6	3	10%	0	NA	NA	0	0	0	0	NA	Permission P/2018/0749 confirms no AH
78b	Former St Helens Glass, Corporation Street	Town Centre	Brownfield	SHLAA site	61	1	0%	0	NA	NA	0	0	0	0	NA	
82	Land adjacent Laffak Rd and Carr Mill Rd	Moss Bank	Brownfield	SHLAA site	150	2	0%	150	NA	NA	40	5	0	45	NA	Current undetermined application P/2020/0153 with outstanding issues (May 2020) and no evidence that the applicant has sought to adress these, therefore moved to later period. Application form says all affordable but under current policy 30% provision.
84	Land adjacent Church of Christ, Heather Brae	Earlestown	Greenfield	SHLAA site	9	2	0%	0	NA	NA	0	0	0	0	NA	

Site ref	Location	Ward	Greenfield or Brownfield	Status	Total Outstanding Units	Emerging Policy AH Zone	Emerging AH Policy Threshold % age on 10 or more	AH based on emerging policy	Adopted Local Plan Threshold LC02	AH based on adopted policy LC02	2021/22 to 2025/26	2026/27 to 2030/31	2031/32 to 2036/37	Total	Commuted Sum	Comments
87	Land West of Vista Road	Haydock	Greenfield	SHLAA site	33	2	30%	0	NA	NA	0	0	10	10	NA	According to SHMBC's website, there is no historic or live planning application for residential on the site. It is not clear from where the capacity figure has been derived.
89	Land rear of 64-94 Marshalls Cross Road	Town Centre	Greenfield	PP not started	32	1	0%	0	NA	NA	32	0	0	32	NA	Condition 26 of permission 2019/0963 refers to 100% affordable housing but has no requirement that this is retained in perpetuity
91	Milton Street	Bold	Greenfield	SHLAA site	25	2	30%	8	NA	NA	0	8	0	8	NA	
95	Site of former Carr Mill Infants School, Ullswater Ave	Moss Bank	Both	SHLAA site	53	2	0%	8	NA	NA	0	0	0	0	NA	The site is mostly brownfield so it is considered that the 0% requirement would apply
96	Land rear of 350 Warrington Road	Rainhill	Greenfield	SHLAA site	11	3	30%	3	NA	NA	3	0	0	3	NA	
102	Auto Safety Centre, Vicarage Road	Blackbrook	Brownfield	SHLAA site	9	2	0%	0	NA	NA	0	0	0	0	NA	
103	Land rear of 39-67 Valentine Road	Earlestown	Both	SHLAA site	10	2	30%	2	NA	NA	0	0	0	0	NA	The site is brownfield so it is considered that the 0% requirement would apply
106	Site of former 126-154 Birchley Street and 107-125 Brynn Street	Town Centre	Brownfield	SHLAA site	10	1	0%	0	NA	NA	0	0	0	0	NA	
109	Land adjacent Piele Road	Haydock	Both	SHLAA site	13	2	30%	2	NA	NA	0	0	0	0	NA	The site is brownfield so it is considered that the 0% requirement would apply
112	Land to the rear of Juddfield Street	Blackbrook	Brownfield	SHLAA site	41	2	0%	0	NA	NA	0	0	0	0	NA	
113	Land at Willow Tree Avenue	Sutton	Greenfield	SHLAA site	50	2	30%	15	NA	NA	0	0	15	15	NA	Application ref: P/2013/0775 included full permission for replacement playing field on the site and the development of a separate parcel to the north for housing (in outline). It was refused due to loss of playing fields, it would result in the development of a greenfield site and the proposed sporting facility is an over-intensive use of the site. Therefore should be removed from trajectory
114	Land at 19 and 25 Sutton Moss Road	Parr	Both	SHLAA site	14	1	0%	0	NA	NA	0	0	0	0	NA	
123	243 Leach Lane, Sutton Leach	Sutton	Brownfield	SHLAA site	17	2	NA	NA	N/A	N/A	0	0	0	0	N/A	Existing permission for 17 dwellings - it is reasonable that this will deliver. However recently approved S73 to remove affordable housing condition (viability evidence submitted) resulting in no affordable provision - P/2020/0228/FUL
126	Former Halton and St Helens PCT HQ, Cowley Hill	Windle	Brownfield	SHLAA site	32	2	0%	0	NA	NA	0	0	0	0	NA	
129	Derbyshire Hill Family Centre, Derbyshire Hill Road	Parr	Both	SHLAA site	12	1	0%	0	NA	NA	0	0	0	0	NA	
133	Land rear of 2-24 Massey Street	Town Centre	Greenfield	SHLAA site	14	1	0%	0	NA	NA	0	0	0	0	NA	
134	Land at Littler Road	Blackbrook	Greenfield	SHLAA site	11	2	30%	4	NA	NA	0	4	0	4	NA	
135	Land at Newby Place	Moss Bank	Greenfield	SHLAA site	13	2	30%	4	NA	NA	0	4	0	4	NA	
150	Former Red Quarry, Chester Lane	Bold	Brownfield	SHLAA site	57	2	0%	0	NA	NA	0	80	0	80	NA	Undetermined application P/2021/0196/FUL
151	Land adjacent St. Helens Hospital, Marshalls Cross Road	Town Centre	Brownfield	SHLAA site	59	1	0	0	NA	NA	0	0	0	0	NA	
152	Sidac Sports & Social Club, Applecorn Close	Sutton	Both	SHLAA site	117	2	30%	18	NA	NA	0	0	0	0	NA	The site is mainly greenfield so the 30% provision would apply. However, development complete and AH not viable. Permission P/2017/0890/FUL
154	College Street Northern Gateway	Town Centre	Brownfield	PPUC	103	1	0	0	NA	NA	0	0	0	0	NA	
HL496	Land at Elton Head Road, Lea Green	Thatton Heath	Greenfield	PP not started	180	2	NA	NA	30%	54	0	0	0	0	NA	Outline Planning permission P/2015/0309 confirms AH not viable and no commuted sum
NT03	Land to side and rear of 41- 49 Old Wargrave Road	Newton	Brownfield	PP not started	20	2	NA	NA	30%	6	0	6	0	6	NA	Permission P/2016/0412 has condition requiring a scheme of AH but not provided and has lapsed
HL417	Sherdley Remec Ltd Gorsey Lane Clock Face	Bold	Brownfield	PPUC	17 of 18	1	NA	NA	0%	0	0	0	0	0	NA	Permission P/2014/0888 confirms no AH because of Vacant Building Credit
HL483	Ibstocks, Chester Lane	Bold	Brownfield	PP not started	260	2	NA	NA	30%	78	0	78	0	78	NA	78 is based on permission P/2015/0599/HYBR but viability assessment to be provided at RM stage, not clear that AH viable. RM not submitted in time so outline has lapsed

Site ref	Location	Ward	Greenfield or Brownfield	Status	Total Outstanding Units	Emerging Policy AH Zone	Emerging AH Policy Threshold % age on 10 or more	AH based on emerging policy	Adopted Local Plan Threshold LC02	AH based on adopted policy LC02	2021/22 to 2025/26	2026/27 to 2030/31	2031/32 to 2036/37	Total	Commuted Sum	Comments
HL289	388 Clipsley Lane	Haydock	Greenfield	PPUC	5	2	NA	NA	0%	0	0	0	0	0	NA	Permission P/2019/0817. Below threshold
HL524	Clough Mill Blundells Lane	Rainhill	Brownfield	PP not started	10	3	NA	NA	30%	3	3	0	0	3	NA	Permission P/2019/0812 confirms a condition for 3 affordable dwellings. There is no evidence on SHMBC's website that any conditions have been discharged or subsequent reserved matters submitted. Outline permission with no evidence of RM coming forward. No clear evidence of delivery and therefore site should be removed
HL537	Windlehurst Youth Centre Gamble Avenue	Windle	Brownfield	PP not started	12	2	NA	NA	30%	4	0	0	0	0	NA	Permission P/2016/0650 expired and AH not viable even for a contribution
HL310	Phase 3 (Aka 2b) Land Site Of Former Vulcan Works, Wargrave Road	Newtown	Brownfield	PP not started	89	2	NA	NA	30%	27	0	0	0	0	NA	Permission P/2019/0217/FUL confirmed that AH not viable
HL443	Land Off Lowfield Lane	Thatto Heath	Both	PPUC	32 of 112	2	NA	NA	30%	15	0	0	0	0	NA	Permission P/2012/0405 confirms not viable for AH or contribution. Confirmed by applications for subsequent re-plans
HL456	Land At Sorrel Way Clock Face	Bold	Brownfield	PPUC	4 of 12	2	NA	NA	0%	0	0	0	0	0	NA	Permission P/2015/0484 confirms not viable for AH or contribution, permission subsequently expired
HL531	Land At Mere Grange Lowfield Lane	Thatto Heath	Greenfield	PPUC	42 of 82	2	NA	NA	30%	20	0	0	0	0	NA	Permission P/2018/0842 confirms not viable for AH or contribution
NT06	Phase 4 Land Site Of Former Vulcan Works Wargrave Road	Newton	Brownfield	PPUC	86 of 89	2	NA	NA	30%	9	9	0	0	9	NA	Permission P/2016/0604 confirms earlier P/2003/1461 requirement for 10% AH
HL525	Fishwicks Industrial Estate, Baxters Lane	Town Centre	Brownfield	PP not started	93	1	NA	NA	30%	28	0	0	6	6	NA	Permission P/2016/0299 confirms 6 units based on viability and VBC (permission has lapsed)
HL189	Land Off Monastery Lane	Sutton	Brownfield	PP not started	80	2	NA	NA	30%	24	0	0	6	6	NA	Permission P/2013/0185 confirms 6 units based on viability but historically stalled site
RH11	Land off Stonecross Drive	Rainhill	Brownfield	PP stalled site	7	3	NA	NA	30%	2	0	0	2	2	NA	Stalled site - should be removed from trajectory
HL363	Land At Baxters Lane	Town Centre	Brownfield	PP stalled site	81	1	NA	NA	30%	25	0	0	0	0	NA	Permission P/2013/0671 confirmed unviable
TC43/B R067	HQ Apartments (former AC Complex Site), Shaw Street	Town Centre	Brownfield	PP stalled site	64	1	NA	NA	30%	19	0	0	0	0	NA	Permission P/2006/1076 confirmed AH not viable
PR12	Land adjacent to Bold Miners Site, WA9 2NH	Parr	Greenfield	PP not started	50	1	NA	NA	30%	50	50	0	0	50	NA	Full permission recently granted for 100% affordable scheme on the site (Ref:P/2020/0487/FUL). Application currently pending for a variation to the affordable housing condition. However this application does not seek to remove any affordable, it is just a minor wording change sought in relation to tenure. If this S73 is approved, it would still be 100% affordable.
HL651	Emmanuel Church, Elephant Lane, St Helens	Thatto Heath	Brownfield	PPUC	18	2	NA	NA	30%	18	18	0	0	18	N/A	Full permission granted recently (Ref: P/2019/0855/FUL) for 18 apartments (100% affordable).
HL713	Land between Sutton Road, Lancot Lane and Dismantled Railway Line	Town Centre	Greenfield	PPUC	63	1	NA	NA	30%	63	63	0	0	63	N/A	Full permission granted recently (Ref: P/2020/0113/FUL) for 63 homes (100% affordable rent).
HL706	The Club 337 - 341 Church Road, Haydock, St Helens	Haydock	Brownfield	PP not started	9	2	NA	NA	30%	3	3	0	0	3	N/A	Site has an existing permission for 10 homes, conditioned to provide 3 AH. However a new application has recently been submitted for 9 dwellings intended to supersede original permission - P/2020/0216/FUL
HL707	13 - 15 Earle Street Newton St Willows Merseyside	Earlestown	Brownfield	PP not started	8	2	NA	NA	N/A	N/A	0	0	0	0	N/A	Existing permission for 8 units however also a fresh application currently pending for 17 units including an additional roof storey - P/2020/0373/FUL. No mention of AH.
HL708	1 Millwood Avenue, Eccleston, St Helens	Eccleston	Brownfield	PP not started	36	3	30%	NA	10%	N/A	36	0	0	36	N/A	Full permission granted for 36 homes (100% affordable). No evidence of discharge of conditions but reasonable to assume it will come forward - P/2019/0654/FUL
HL715	Land site of former Haydock Working Mens Club	Haydock	Brownfield	PP not started	4	2	NA	NA	N/A	N/A	0	0	0	0	N/A	Full permission granted for 4 homes. No evidence of discharge of conditions but reasonable to assume it will come forward - P/2020/0419/FUL. No mention of AH, under threshold.
HL717	19 Hardshaw Street, St Helens	Town Centre	Brownfield	PP not started	7	1	NA	NA	N/A	N/A	0	0	0	0	N/A	Existing COU permission for 7 flats - P/2020/0495/FUL. Falls under AH threshold
HL719	Land site of former 7A Cooper Lane, Haydock, St Helens	Haydock	Brownfield	PPUC	5	2	NA	NA	N/A	N/A	0	0	0	0	N/A	Existing full permission for 5 dwellings - P/2020/0391/FUL. Falls under AH threshold
HL721	Stables Court, Frontfield Court and Meadow Court, Appleton Road, St Helens	Town Centre	Brownfield	PPUC	38	1	NA	NA	N/A	N/A	0	0	0	0	N/A	Both existing permission are for supported living and officer's reports and decision notices confirm this is use class C2 - P/2020/0615/FUL. Supported Living Scheme.

Site ref	Location	Ward	Greenfield or Brownfield	Status	Total Outstanding Units	Emerging Policy AH Zone	Emerging AH Policy Threshold % age on 10 or more	AH based on emerging policy	Adopted Local Plan Threshold LC02	AH based on adopted policy LC02	2021/22 to 2025/26	2026/27 to 2030/31	2031/32 to 2036/37	Total	Commuted Sum	Comments
HL723	The Phoneix Hotel, Canal Street, St Helens	Town Centre	Brownfield	PP not started	12	1	NA	NA	30%	12	12	0	0	12	N/A	Existing permission for 12 flats - P/2020/0313/FUL. 100% affordable scheme.
HL729	Land site of former travellers rest, 21 Crab Street, St Helens	Town Centre	Brownfield	PP not started	61	1	NA	NA	N/A	N/A	0	0	0	0	N/A	Outline permission recently granted - P/2020/0473/OUP. Unviable to provide AH
HL734	59 - 69 Church Street, St Helens	Town Centre	Brownfield	PP not started	9	1	NA	NA	N/A	N/A	0	0	0	0	N/A	Existing COU permission for 9 flats - P/2020/0913/FUL. Falls under AH threshold
TOTALS											314	222	39	575		

Appendix 3

Tetlow King Planning's Trajectory



Appendix 3: Tetlow King Planning Trajectory

Site ref	Location	Ward	Greenfield or Brownfield	Status	Total Outstanding Units	Emerging Policy AH Zone	Emerging AH Policy Threshold % age on 10 or more	AH based on emerging policy	Adopted Local Plan Threshold LC02	AH based on adopted policy LC02	Applicant Trajectory				Commu ted Sum	Comments
											2021/22 to 2025/26	2026/27 to 2030/31	2031/32 to 2036/37	Total		
10	Land at Junction of Sunbury Street and Fir Street	Thatto Heath	Brownfield	PP not started	30	2	0%	0	NA	NA	30	0	0	30	NA	Permission granted P/2018/0882/FUL, condition for 30% to be AH but RP is developer and approved scheme discharged by conditon is for 30
13	Land rear of Carnegie Crescent and Goodban Street	Parr	Brownfield	SHLAA site	7	1	0%	0	NA	NA	0	0	0	0	NA	Previous outline P/2004/1383. No evidence of any Reserved matters application and has therefore expired
16	Land at Egerton Street	Town Centre	Greenfield	SHLAA site	12	1	NA	NA	30%	0%	12	0	0	12	N/A	No evidence online that construction has commenced though reasonable to expect it will come forward given the recent permission - P/2020/0583/FUL. 100% AH, conditioned to provide 30% minimum
18	Land at Somerset St and Sussex Grove	Parr	Brownfield	SHLAA site	66	1	0%	0	NA	NA	0	0	0	0	NA	
19	Leyland Green Road	Billinge & Seneley Green	Greenfield	SHLAA site	8 of 9	2	0%	0	NA	NA	0	0	0	0	NA	P/2020/0478/FUL granted - no officer report or s106
22	Land at Corder of Fairclough St and Wargrave Rd	Earlestown	Brownfield	SHLAA site	14	2	0%	0	NA	NA	0	0	0	0	NA	
23	Liverpool Arms and former Sacred Heart RC Church and School	Town Centre	Brownfield	SHLAA site	29	1	0%	0	NA	NA	0	0	0	0	NA	
25	Alexandra Park - Former Pilkington HQ	West Park	Both	SHLAA site	162	2	0%	0	NA	NA	0	0	0	0	NA	The site is mostly brownfield so it is considered that the 0% requirement would apply
27	Farmer Bethell Mission Bowling Green, Marsden Avenue	West Park	Greenfield	SHLAA site	10	2	30%	3	NA	NA	0	3	0	3	NA	Former permission P/2010/0638 for 16 units of 100% AH conditioned as such but no evidence it was implemented
31	Former Sutton Arms PH, Elephant Lane	Thatton Heath	Brownfield	SHLAA site	18	2	0%	0	NA	NA	0	0	0	0	NA	P/2011/0651 Commuted sum agreed but no evidence it was implemented
36	Land & Premises at Lords Foods	Rainsford	Brownfield	PP not started	55	3	10%	18	NA	NA	3	0	0	3	NA	Condition 3 of permission P/2020/0580/VRC confirms 3 AH
58	Former Central Works	Haydock	Brownfield	SHLAA site	48	2	0%	0	NA	NA	0	0	0	0	NA	
59	Site of Former 56-120 Ecclestone St	Town Centre	Brownfield	SHLAA site	13	1	0%	0	NA	NA	0	0	0	0	NA	
60	Vacant Land adjacent to Rail Line, Elephant Lane	Thatto Heath	Greenfield	SHLAA site	112	2	30%	34	NA	NA	0	34	0	34	NA	No historic or live application, not clear where capacity figure has been derived from
61	Land North and South of Corporation Street	Town Centre	Brownfield	SHLAA site	169	1	0%	0	NA	NA	0	0	0	0	NA	SHLAA 2017 assessment says possibly an AH scheme
63	Land at Waterdale Crescent	Sutton	Brownfield	SHLAA site	10	2	0%	0	NA	NA	0	0	0	0	NA	
64	BT Depot, Sutton Road	Town Centre	Brownfield	SHLAA site	36	1	0%	0	NA	NA	0	0	0	0	NA	
65	Former Pumping Station, Sutton Road	Town Centre	Brownfield	SHLAA site	10	1	0%	0	NA	NA	0	0	0	0	NA	
66	Land off Wargrave Road	Newton	Both	SHLAA site	7	2	0%	0	NA	NA	0	0	0	0	NA	
69	Site of Former Parr Community High School, Fleet Lane	Parr	Brownfield	SHLAA site	54	1	0%	0	NA	NA	0	0	0	0	NA	
72	Site of Former St Marks Primary School, Willow Tree Avenue	Sutton	Brownfield	SHLAA site	18	2	0%	0	NA	NA	0	0	0	0	NA	
74	Site of Former 119-133 Crow Lane West	Earlestown	Brownfield	SHLAA site	9	2	0%	0	NA	NA	0	0	0	0	NA	
75	Christ Church Parish Hill, Chapel Lane	Eccleston	Brownfield	PP not started	6	3	10%	0	NA	NA	0	0	0	0	NA	Permission P/2018/0749 confirms no AH
78b	Former St Helens Glass, Corporation Street	Town Centre	Brownfield	SHLAA site	61	1	0%	0	NA	NA	0	0	0	0	NA	
82	Land adjacent Laffak Rd and Carr Mill Rd	Moss Bank	Brownfield	SHLAA site	150	2	0%	150	NA	NA	0	45	0	45	NA	Current undetermined application P/2020/0153 with outstanding issues (May 2020) and no evidence that the applicant has sought to adress these, therefore moved to later period. Application form says all affordable but under current policy 30% provision.
84	Land adjacent Church of Christ, Heather Brae	Earlestown	Greenfield	SHLAA site	9	2	0%	0	NA	NA	0	0	0	0	NA	
87	Land West of Vista Road	Haydock	Greenfield	SHLAA site	33	2	30%	0	NA	NA	0	0	10	10	NA	According to SHMBC's website, there is no historic or live planning application for residential on the site. It is not clear from where the capacity figure has been derived.
89	Land rear of 64-94 Marshalls Cross Road	Town Centre	Greenfield	PP not started	32	1	0%	0	NA	NA	32	0	0	32	NA	Condition 26 of permission 2019/0963 refers to 100% affordable housing but has no requirement that this is retained in perpertyuity
91	Milton Street	Bold	Greenfield	SHLAA site	25	2	30%	8	NA	NA	0	8	0	8	NA	
95	Site of former Carr Mill Infants School, Ullswater Ave	Moss Bank	Both	SHLAA site	53	2	0%	8	NA	NA	0	0	0	0	NA	The site is mostly brownfield so it is considered that the 0% requirement would apply
96	Land rear of 350 Warrington Road	Rainhill	Greenfield	SHLAA site	11	3	30%	3	NA	NA	3	0	0	3	NA	
102	Auto Safety Centre, Vicarage Road	Blackbrook	Brownfield	SHLAA site	9	2	0%	0	NA	NA	0	0	0	0	NA	

Site ref	Location	Ward	Greenfield or Brownfield	Status	Total Outstanding Units	Emerging Policy AH Zone	Emerging AH Policy Threshold % age on 10 or more	AH based on emerging policy	Adopted Local Plan Threshold LC02	AH based on adopted policy LC02	2021/22 to 2025/26	2026/27 to 2030/31	2031/32 to 2036/37	Total	Commuted Sum	Comments
103	Land rear of 39-67 Valentine Road	Earlestown	Both	SHLAA site	10	2	30%	2	NA	NA	0	0	0	0	NA	The site is brownfield so it is considered that the 0% requirement would apply
106	Site of former 126-154 Birchley Street and 107-125 Brynn Street	Town Centre	Brownfield	SHLAA site	10	1	0%	0	NA	NA	0	0	0	0	NA	
109	Land adjacent Piele Road	Haydock	Both	SHLAA site	13	2	30%	2	NA	NA	0	0	0	0	NA	The site is brownfield so it is considered that the 0% requirement would apply
112	Land to the rear of Juddfield Street	Blackbrook	Brownfield	SHLAA site	41	2	0%	0	NA	NA	0	0	0	0	NA	
113	Land at Willow Tree Avenue	Sutton	Greenfield	SHLAA site	50	2	30%	15	NA	NA	0	0	0	0	NA	Application ref: P/2013/0775 included full permission for replacement playing field on the site and the development of a separate parcel to the north for housing (in outline). It was refused due to loss of playing fields, it would result in the development of a greenfield site and the proposed sporting facility is an over-intensive use of the site. Therefore should be removed from trajectory
114	Land at 19 and 25 Sutton Moss Road	Parr	Both	SHLAA site	14	1	0%	0	NA	NA	0	0	0	0	NA	
123	243 Leach Lane, Sutton Leach	Sutton	Brownfield	SHLAA site	17	2	NA	NA	N/A	N/A	0	0	0	0	N/A	Existing permission for 17 dwellings - it is reasonable that this will deliver. However recently approved S73 to remove affordable housing condition (viability evidence submitted) resulting in no affordable provision - P/2020/0228/FUL
126	Former Halton and St Helens PCT HQ, Cowley Hill	Windle	Brownfield	SHLAA site	32	2	0%	0	NA	NA	0	0	0	0	NA	
129	Derbyshire Hill Family Centre, Derbyshire Hill Road	Parr	Both	SHLAA site	12	1	0%	0	NA	NA	0	0	0	0	NA	
133	Land rear of 2-24 Massey Street	Town Centre	Greenfield	SHLAA site	14	1	0%	0	NA	NA	0	0	0	0	NA	
134	Land at Littler Road	Blackbrook	Greenfield	SHLAA site	11	2	30%	4	NA	NA	0	4	0	4	NA	
135	Land at Newby Place	Moss Bank	Greenfield	SHLAA site	13	2	30%	4	NA	NA	0	4	0	4	NA	
150	Former Red Quarry, Chester Lane	Bold	Brownfield	SHLAA site	57	2	0%	0	NA	NA	0	80	0	80	NA	Undetermined application P/2021/0196/FUL
151	Land adjacent St. Helens Hospital, Marshalls Cross Road	Town Centre	Brownfield	SHLAA site	59	1	0	0	NA	NA	0	0	0	0	NA	
152	Sidac Sports & Social Club, Applecorn Close	Sutton	Both	SHLAA site	117	2	30%	18	NA	NA	0	0	0	0	NA	The site is mainly greenfield so the 30% provision would apply. However, development complete and AH not viable. Permission P/2017/0890/FUL
154	College Street Northern Gateway	Town Centre	Brownfield	PPUC	103	1	0	0	NA	NA	0	0	0	0	NA	
HL496	Land at Elton Head Road, Lea Green	Thatton Heath	Greenfield	PP not started	180	2	NA	NA	30%	54	0	0	0	0	NA	Outline Planning permission P/2015/0309 confirms AH not viable and no commuted sum
NT03	Land to side and rear of 41- 49 Old Wargrave Road	Newton	Brownfield	PP not started	20	2	NA	NA	30%	6	0	6	0	6	NA	Permission P/2016/0412 has condition requiring a scheme of AH but not provided and has lapsed
HL417	Sherdley Remec Ltd Gorsey Lane Clock Face	Bold	Brownfield	PPUC	17 of 18	1	NA	NA	0%	0	0	0	0	0	NA	Permission P/2014/0888 confirms no AH because of Vacant Building Credit
HL483	Ibstocks, Chester Lane	Bold	Brownfield	PP not started	260	2	NA	NA	30%	78	0	0	0	0	NA	78 is based on permission P/2015/0599/HYBR but viability assessment to be provided at RM stage, not clear that AH viable. RM not submitted in time so outline has lapsed
HL289	388 Clipsley Lane	Haydock	Greenfield	PPUC	5	2	NA	NA	0%	0	0	0	0	0	NA	Permission P/2019/0817. Below threshold
HL524	Clough Mill Blundells Lane	Rainhill	Brownfield	PP not started	10	3	NA	NA	30%	3	0	0	0	0	NA	Permission P/2019/0812 confirms a condition for 3 affordable dwellings. There is no evidence on SHMBC's website that any conditions have been discharged or subsequent reserved matters submitted. Outline permission with no evidence of RM coming forward. No clear evidence of delivery and therefore site should be removed
HL537	Windlehurst Youth Centre Gamble Avenue	Windle	Brownfield	PP not started	12	2	NA	NA	30%	4	0	0	0	0	NA	Permission P/2016/0650 expired and AH not viable even for a contribution
HL310	Phase 3 (Aka 2b) Land Site Of Former Vulcan Works, Wargrave Road	Newtown	Brownfield	PP not started	89	2	NA	NA	30%	27	0	0	0	0	NA	Permission P/2019/0217/FUL confirmed that AH not viable
HL443	Land Off Lowfield Lane	Thatto Heath	Both	PPUC	32 of 112	2	NA	NA	30%	15	0	0	0	0	NA	Permission P/2012/0405 confirms not viable for AH or contribution. Confirmed by applications for subsequent re-plans
HL456	Land At Sorrel Way Clock Face	Bold	Brownfield	PPUC	4 of 12	2	NA	NA	0%	0	0	0	0	0	NA	Permission P/2015/0484 confirms not viable for AH or contribution, permission subsequently expired
HL531	Land At Mere Grange Lowfield Lane	Thatto Heath	Greenfield	PPUC	42 of 82	2	NA	NA	30%	20	0	0	0	0	NA	Permission P/2018/0842 confirms not viable for AH or contribution
NT06	Phase 4 Land Site Of Former Vulcan Works Wargrave Road	Newton	Brownfield	PPUC	86 of 89	2	NA	NA	30%	9	9	0	0	9	NA	Permission P/2016/0604 confirms earlier P/2003/1461 requirement for 10% AH
HL525	Fishwicks Industrial Estate, Baxters Lane	Town Centre	Brownfield	PP not started	93	1	NA	NA	30%	28	0	0	6	6	NA	Permission P/2016/0299 confirms 6 units based on viability and VBC (permission has lapsed)
HL189	Land Off Monastery Lane	Sutton	Brownfield	PP not started	80	2	NA	NA	30%	24	0	0	0	0	NA	Permission P/2013/0185 confirms 6 units based on viability but historically stalled site
RH11	Land off Stonecross Drive	Rainhill	Brownfield	PP stalled site	7	3	NA	NA	30%	2	0	0	0	0	NA	Stalled site - should be removed from trajectory
HL363	Land At Baxters Lane	Town Centre	Brownfield	PP stalled site	81	1	NA	NA	30%	25	0	0	0	0	NA	Permission P/2013/0671 confrimed unviable

Site ref	Location	Ward	Greenfield or Brownfield	Status	Total Outstanding Units	Emerging Policy AH Zone	Emerging AH Policy Threshold % age on 10 or more	AH based on emerging policy	Adopted Local Plan Threshold LC02	AH based on adopted policy LC02	2021/22 to 2025/26	2026/27 to 2030/31	2031/32 to 2036/37	Total	Commuted Sum	Comments
TC43/B1	HQ Apartments (former AC Complex Site), Shaw Street	Town Centre	Brownfield	PP stalled site	64	1	NA	NA	30%	19	0	0	0	0	NA	Permission P/2006/1076 confirmed AH not viable
PR12	Land adjacent to Bold Miners Site, WA9 2NH	Parr	Greenfield	PP not started	50	1	NA	NA	30%	50	50	0	0	50		Full permission recently granted for 100% affordable scheme on the site (Ref:P/2020/0487/FUL). Application currently pending for a variation to the affordable housing condition. However this application does not seek to remove any affordable, it is just a minor wording change sought in relation to tenure. If this S73 is approved, it would still be 100% affordable.
HL651	Emmanuel Church, Elephant Lane, St Helens	Thatto Heath	Brownfield	PPUC	18	2	NA	NA	30%	18	18	0	0	18	N/A	Full permission granted recently (Ref: P/2019/0855/FUL) for 18 apartments (100% affordable).
HL713	Land between Sutton Road, Lancot Lane and Dismantled Railway Line	Town Centre	Greenfield	PPUC	63	1	NA	NA	30%	63	63	0	0	63	N/A	Full permission granted recently (Ref: P/2020/0113/FUL) for 63 homes (100% affordable rent).
HL706	The Club 337 - 341 Church Road, Haydock, St Helens	Haydock	Brownfield	PP not started	9	2	NA	NA	30%	3	3	0	0	3	N/A	Site has an existing permission for 10 homes, conditioned to provide 3 AH. However a new application has recently been submitted for 9 dwellings intended to supersede original permission - P/2020/0216/FUL
HL707	13 - 15 Earle Street Newton St Willows Merseyside	Earlestown	Brownfield	PP not started	8	2	NA	NA	N/A	N/A	0	0	0	0	N/A	Existing permission for 8 units however also a fresh application currently pending for 17 units including an additional roof storey - P/2020/0373/FUL. No mention of AH.
HL708	1 Millwood Avenue, Eccleston, St Helens	Eccleston	Brownfield	PP not started	36	3	30%	NA	10%	N/A	36		0	36	N/A	Full permission granted for 36 homes (100% affordable). No evidence of discharge of conditions but reasonable to assume it will come forward -P/2019/0654/FUL
HL715	Land site of former Haydock Working Mens Club	Haydock	Brownfield	PP not started	4	2	NA	NA	N/A	N/A	0	0	0	0	N/A	Full permission granted for 4 homes. No evidence of discharge of conditions but reasonable to assume it will come forward - P/2020/0419/FUL. No mention of AH, under threshold.
HL717	19 Hardshaw Street, St Helens	Town Centre	Brownfield	PP not started	7	1	NA	NA	N/A	N/A	0	0	0	0	N/A	Existing COU permisison for 7 flats - P/2020/0495/FUL. Falls under AH threshold
HL719	Land site of former 7A Cooper Lane, Haydock, St Helens	Haydock	Brownfield	PPUC	5	2	NA	NA	N/A	N/A	0	0	0	0	N/A	Existing full permission for 5 dwellings - P/2020/0391/FUL. Falls under AH threshold
HL721	Stables Court, Frontfield Court and Meadow Court, Appleton Road, St Helens	Town Centre	Brownfield	PPUC	38	1	NA	NA	N/A	N/A	0	0	0	0	N/A	Both existing permission are for supported living and officer's reports and decision notices confirm this is use class C2 - P/2020/0615/FUL. Supported Living Scheme.
HL723	The Phoneix Hotel, Canal Street, St Helens	Town Centre	Brownfield	PP not started	12	1	NA	NA	30%	12	12	0	0	12	N/A	Existing permission for 12 flats - P/2020/0313/FUL. 100% affordable scheme.
HL729	Land site of former travellers rest, 21 Crab Street, St Helens	Town Centre	Brownfield	PP not started	61	1	NA	NA	N/A	N/A	0	0	0	0	N/A	Outline permission recently granted - P/2020/0473/OUP. Unviable to provide AH
HL734	59 - 69 Church Street, St Helens	Town Centre	Brownfield	PP not started	9	1	NA	NA	N/A	N/A	0	0	0	0	N/A	Existing COU permission for 9 flats - P/2020/0913/FUL. Falls under AH threshold
TOTALS											271	184	16	471		

 Sites changed in the trajectory

Appendix 4

Analysis of supply from Allocations



Allocations

- 4.1 Draft Policy LPA05 (Meeting St. Helens Borough's Housing Needs) of the Submission Draft Local Plan sets out the 10no. sites that are proposed to be allocated for development. These are set out in the table below.

Site Ref	Name	Area (Hectares)	Indicative Site Capacity (Total)	Green Belt?	Greenfield Brownfield	Affordable Housing Zone
1HA	Land South of Billinge Road, East of Garswood Road and West of Smock Lane, Garswood	9.58	216	Yes	Greenfield	2
2HA	Land at Florida Farm (South of A580), Slag Lane, Blackbrook	23.19	522	Yes	Greenfield	2
3HA	Former Penlake Industrial Estate, Reginald Road, Bold	10.66	337	No	Brownfield	2
4HA	Land bounded by Reginald Road/Bold Road/Travers Entry/Gorsey Lane/Crawford Street, Bold (Bold Forest Garden Suburb)	132.86	2,988	Yes	Greenfield	2
5HA	Land South of Gartons Lane and former St. Theresa's Social Club, Gartons Lane, Bold	21.67	569	Yes	Greenfield	2
6HA	Land East of City Road, Cowley Hill, Town Centre	31.09	816	No	Brownfield	1/2
7HA	Land West of the A49 Mill Lane and to the East of the West Coast Mainline railway line, Newton-le-Willows	8.03	181	No	Brownfield / Greenfield	2
8HA	Land South of Higher Lane and East of Rookery Lane, Rainford	11.49	259	Yes	Greenfield	3
9HA	Former Linkway Distribution Park, Elton Head Road, Thatto Heath	12.39	350	No	Brownfield / Greenfield	2
10HA	Moss Nook Urban Village, Watery Lane, Moss Nook	26.74	802	No	Brownfield	1
TOTALS			7,040			

Table 4.1 - Sites Proposed to be Allocated for New Housing Development (Policy LPA05)

4.2 Of these 10no. allocations, the following 7 will constitute 'Strategic Housing Sites':

- 2HA: Land at Florida Farm (South of A580), Slag Lane, Blackbrook;
- 3HA: Former Penlake Industrial Estate, Reginald Road, Bold;
- 4HA: Land bounded by Reginald Road / Bold Road / Travers Entry / Gorsey Lane / Crawford Street, Bold (Bold Forest Garden Suburb);
- 5HA: Land South of Gartons Lane and former St.Theresa's Social Club, Gartons Lane, Bold;
- 6HA: Land at Cowley Street, Cowley Hill, Town Centre;
- 9HA: Former Linkway Distribution Park, Elton Head Road, Thatto Heath; and,
- 10HA: Moss Nook Urban Village, Watery Lane, Moss Nook.

4.3 Draft Policy LPA05.1 (Strategic Housing Sites) sets out specific requirements for these sites, notably any planning application for development within a Strategic Housing Site must be supported by a comprehensive masterplan covering the whole site. This masterplan must cover at least:

- a) amount of development and proposed uses;
- b) phasing of development across the whole site;
- c) indicative layout and design details for the whole site, that must provide for an attractive built form with high quality landscaping when viewed from within the development and elsewhere;
- d) measures to provide good levels of accessibility to the whole site by public transport, pedestrian and cycling links;
- e) indicative layout promoting permeability and accessibility by public transport, cycling and walking;
- f) a Green Infrastructure Plan addressing biodiversity, geodiversity, greenways, ecological network, landscape character, trees, woodland and water storage issues in a holistic and integrated way;
- g) measures to address any potential flood risk and surface water drainage issues in accordance with Policy LPC12;

- h) measures to promote energy efficiency and generation of renewable or low carbon energy in accordance with Policy LPC13;
- i) a comprehensive strategy for the provision of all new, expanded and / or enhanced infrastructure that is required to serve the development of the whole site; and
- j) how development of the site as a whole would comply with other relevant policies of the Local Plan.

4.4 We now consider each allocation in turn, setting out for each site:

- Site Capacity;
- The Council's claimed supply;
- The Affordable Housing Zone the site sits within (based on Figure 6.1 of the Submission Local Plan);
- Whether the site is Greenfield or Brownfield (based on a Desktop based Google Earth assessment);
- The required affordable housing based on the preceding two bullets and Policy LPC02);
- Relevant Planning History;
- A summary and commentary;
- The likely delivery of affordable housing from the site.

Site 1HA - Land South of Billinge Road, Garswood

Affordable Housing Zone	2
Greenfield / Brownfield	Greenfield
Required Affordable Housing contribution based on emerging policy	30%
Key Site Constraints	<ul style="list-style-type: none"> • 95% of the site is within a Medium-High or High Landscape Sensitivity area. Site is on a prominent ridge. • Over 1.6km to open space.

	<ul style="list-style-type: none"> Site contains a Public Right of Way (severance possible if not designed inclusively). Site contains 100% Grade 3 agricultural land. The size of the site however (10.88ha) does meet the site criteria threshold for potential effects.
Planning History	The site is in the Green Belt. There is no planning history of direct relevance.

Table 4.2– Site 1HA Summary

Summary and Commentary

- 4.5 Site 1HA is a greenfield site located to the north-east of Garswood. It is roughly triangular in shape and is 9.58ha with an indicative capacity of 216 dwellings.
- 4.6 According to the May 2021 update (SHBC007), the site will deliver 20 dwellings in 2025/26, followed by 40 dwellings in each of 2026/27, 2027/28, 2028/29 and 2029/30 respectively and then 36 dwellings in 2030/31. As such, the is only expected to deliver 20 dwellings during the first five years of the plan period from adoption (now 2021-2026).

Year	20 /2 1	21 /2 2	22 /2 3	23 /2 4	24 /2 5	25 /2 6	26 /2 7	27 /2 8	28 /2 9	29 /3 0	30 /3 1	31 /3 2	32 /3 3	33 /3 4	34 /3 5	35 /3 6	36 /3 7
<i>Dwellings</i>	<i>n/a</i>	0	0	0	0	20	40	40	40	40	36	0	0	0	0	0	0

Table 4.3 – Council's claimed supply from 1HA as updated in documents SHBC007 in May 2021 (black).

- 4.7 The site falls within proposed Affordable Housing Zone 2 where 30% affordable housing will be sought. Based on an overall capacity of 216 dwellings, in a policy-compliant scenario, the site would likely deliver 65 affordable dwellings over the plan period and just 6 affordable dwellings in the first five years based on the Council's trajectory.

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

Affordable Housing Zone	2
Greenfield / Brownfield	Greenfield
Required Affordable Housing contribution based on emerging policy	30%

Key Site Constraints	<ul style="list-style-type: none"> Site does not contain any agricultural land Grade 1-2. There is 100% (24.4ha) overlap with agricultural land Grade 3, which exceeds 20Ha, resulting in potential negative effects. Site is 94.7% in Flood Zone 1, and 5.3% in Flood Zone 2. 91.2% of the site is within a Medium-High or High landscape sensitivity area. Over 2.4km from a prominent ridge line. UU has advised that there is a possibility that an abandoned pipe following the route of the access road to the farm.
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Table 4.4 – Site 2HA Summary

Summary and Commentary

4.8 Site 2HA is a greenfield site located to the north of Haydock and south of the A580. It is fairly regular in shape and is 23.19ha with an indicative capacity of 522 dwellings.

4.9 In the May 2021 the site is expected to deliver no dwellings during the first five years of the plan period. This trajectory shows 427 dwellings over the plan period, with 95 dwellings beyond the plan period.

Year	20 /2 1	21 /2 2	22 /2 3	23 /2 4	24 /2 5	25 /2 6	26 /2 7	27 /2 8	28 /2 9	29 /3 0	30 /3 1	31 /3 2	32 /3 3	33 /3 4	34 /3 5	35 /3 6	36 /3 7
<i>Dwellings</i>	0	0	0	0	0	0	0	22	45	45	45	45	45	45	45	45	45

Table 4.5 – Council's claimed supply from 2HA as updated in documents SHBC007 in May 2021.

4.10 The site falls within proposed Affordable Housing Zone 2 where 30% affordable housing will be sought. Based on the Council's latest trajectory and an overall capacity of 427 dwellings during the plan period, in a best-case scenario the site would deliver 128 affordable dwellings over the plan period but 0 dwellings during the first five years.

4.11 However, the Council's own viability appraisal demonstrates that the site is unviable at 30% affordable housing (VIA001)¹. While we have generously used the figure of 128 affordable dwellings, in light of the Council's own assessment it is likely to be fewer units.

3HA - Former Penlake Industrial Estate, Reginald Road, Bold

Affordable Housing Zone	2
Greenfield / Brownfield	Brownfield
Required Affordable Housing contribution based on emerging policy	0%
Key Site Constraints	<ul style="list-style-type: none"> • 22m from a local wildlife site and TPO on site therefore likely to generate negative effects. • 2.7km to a conservation area, 14m to a listed building, 3.9km from an archaeological interest, 3.4km from a registered park and 1.8km distance to ancient monument. Possible for effects given the close proximity of listed building. However, the site does not add to the setting of the asset, so significant effects unlikely.
Planning History	A hybrid planning application for demolition of existing metal recycling facility and construction of up to 358 dwellings and 390sqm mixed use development (Ref: P/2015/0130) was approved on 11th December 2015. A subsequent reserved matters application (Ref: P/2018/0251/RES) for 337 dwellings was approved on 21st September 2018. The development will deliver 5% affordable housing (17 units). The applicant provided an independent, site-specific economic viability study with the hybrid application to justify a lower provision than the 30% policy requirement.

Table 4.6 –Site 3HA Summary

¹ Table 6.19 - Page 101

Summary and Commentary

4.12 Site 3HA is a brownfield site which was formerly the Penlake Industrial Estate and is located to the east of Sutton Leach. It is fairly regular in shape and is 10.66ha in size with an indicative capacity of 337 dwellings.

4.13 The Council's updated May 2021 trajectory includes an outstanding capacity of 131 to be delivered in its entirety within the first 3 years of the plan period.

Year	20 /2 1	21 /2 2	22 /2 3	23 /2 4	24 /2 5	25 /2 6	26 /2 7	27 /2 8	28 /2 9	29 /3 0	30 /3 1	31 /3 2	32 /3 3	33 /3 4	34 /3 5	35 /3 6	36 /3 7
Dwellings	n/a	45	45	41	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 4.7 – Council's claimed supply from 3HA as updated in documents SHBC007 in May 2021.

4.14 The site falls within proposed Affordable Housing Zone 2 where 0% affordable housing will be sought under the proposed Submission Local Plan policies as it is a brownfield site. However the site already benefits from a reserved matters permission which includes 5% affordable housing provision which equates to a total of 17 units. The site is under construction and the site is therefore likely to deliver 7 affordable dwellings over the plan period with all 7 affordable dwellings during the first five years.

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

Affordable Housing Zone	2
Greenfield / Brownfield	Greenfield
Required Affordable Housing contribution based on emerging policy	30%
Key Site Constraints	<ul style="list-style-type: none"> Parcel GBP-74-b (56) overlaps with a TPO and parcel 070 (55) is 5m from a TPO. Parcel 070_A and 070_C both overlap a Local Wildlife Site and Local Site (Field north of Gorsey Lane). Effects considered likely. Site does not contain any ALC Grade 1-2. On average over 95% of the parcels contain ALC

	<p>Grade 3, totalling 157.8Ha. Effects considered likely.</p> <ul style="list-style-type: none"> Potentially large-scale site (up to 2,900 units) located between 1529m - 1970m from AQMA. Parcel 074_B is located 180m to a listed building and Parcel 074_A is located 49m from a listed building. Housing site on land suitable for employment and housing. A large proportion located within a Total Catchment (Zone 3) Groundwater Source Protection Zone.
Planning History	<p>The site is currently located in the Green Belt. There is no planning history of direct relevance however SHMBC prepared a Bold Forest Garden Suburb Position Statement (October 2020) which forms part of the Local Plan Evidence Base. It states at para. 2.11 that <i>“Given the size of the BFGS site, a lead in time of seven years on adoption of the Plan has been applied for the BFGS to allow for a thorough masterplanning process. This work will then form the basis of a site-specific Supplementary Planning Document (SPD).”</i></p>

Table 4.8 – Site 4HA Summary

Summary and Commentary

4.15 Site 4HA is a greenfield site which comprises of a large area of undeveloped agricultural land, located on the edges of Clock Face, Sutton and Bold. It is 132.86ha in size with an indicative capacity of 2,988 dwellings.

4.16 The Council's updated May 2021 trajectory anticipates plan period delivery of 420, with no delivery in the 5YHLS.

Year	20 /2 1	21 /2 2	22 /2 3	23 /2 4	24 /2 5	25 /2 6	26 /2 7	27 /2 8	28 /2 9	29 /3 0	30 /3 1	31 /3 2	32 /3 3	33 /3 4	34 /3 5	35 /3 6	36 /3 7
Dwellings	0	0	0	0	0	0	0	0	0	0	60	60	60	60	60	60	60

Table 4.9 – Council's claimed supply from 4HA as updated in documents SHBC007 in May 2021.

- 4.17 The site falls within proposed Affordable Housing Zone 2 where 30% affordable housing will be sought. Based on the Council's May 2021 trajectory and an overall capacity of 420 dwellings during the plan period, in a policy-compliant scenario the site would likely deliver 126 affordable dwellings over the plan period but 0 dwellings during the first five years.

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

Affordable Housing Zone	2
Greenfield / Brownfield	Greenfield
Required Affordable Housing contribution based on emerging policy	30%
Key Site Constraints	<ul style="list-style-type: none"> • Site does not contain any ALC Grade 1-2. There is 100% (22.32ha) overlap with ALC Grade 3. Potential adverse effects. • 99.8% of the site is within Low- Medium or Medium landscape sensitivity area. Over 1.7km from a prominent ridge line. • The parcel lies adjacent (to the north) of an LWS (Sutton Manor Woodland – LWS120). A buffer zone may need to be incorporated within any scheme to mitigate any potential damage or loss.
Planning History	The site is currently located in the Green Belt. There is no planning history of direct relevance.

Table 4.10 –Site 5HA Summary

Summary and Commentary

- 4.18 Site 5HA is a greenfield site located between Sutton Manor and Clockface. It is 21.67ha in size with an indicative capacity of 569 dwellings.
- 4.19 The Council's May 2021 updated trajectory (SHBC007) includes 517 dwellings over the plan period and 22 in the 5YHLS.

Year	20 /2 1	21 /2 2	22 /2 3	23 /2 4	24 /2 5	25 /2 6	26 /2 7	27 /2 8	28 /2 9	29 /3 0	30 /3 1	31 /3 2	32 /3 3	33 /3 4	34 /3 5	35 /3 6	36 /3 7
Dwellings	n/ a	0	0	0	0	22	45	45	45	45	45	45	45	45	45	45	45

Table 4.11 – Council's claimed supply from 5HA as updated in documents SHBC007 in May 2021.

4.20 In the context that SHMBC is only suggesting a modest 22 dwellings within the first five years, it is highly likely that the site could deliver no housing, and thus no affordable housing during the first five years. The site falls within proposed Affordable Housing Zone 2 where 30% affordable housing will be sought (albeit it is possible that a lower percentage provision could be negotiated on viability grounds). Based on an overall capacity of 517 dwellings during the plan period, in a best-case scenario the site would deliver 155 affordable dwellings over the plan period and 7 affordable dwellings during the first five years.

Site 6HA - Land East of City Road, Cowley Hill, Town Centre

Affordable Housing Zone	1/2
Greenfield / Brownfield	Brownfield
Required Affordable Housing contribution based on emerging policy	0%
Key Site Constraints	<ul style="list-style-type: none"> Negative effects likely due to the presence of a local wildlife and protected trees on site. The site is 880m from an AQMA and will generate increased car traffic. 95.87% of site is located in Flood Zone 1, 4.13% located in Flood Zone 2 and 2.86% located in Flood Zone 3 therefore effects are unlikely. The scale of the site means it should be possible to avoid flood zones 2/3. 98% of the site is within a Low sensitivity , 0.01%Low- Medium and 1.81% Medium landscape sensitivity area. Housing site on land suitable for employment.

Planning History	<p>Planning permission for demolition of existing buildings and outline planning permission for up to 1,100 dwellings and up to 3,925sqm of mixed use floorspace (Ref: P/2020/0083/OUEIA) was submitted in January 2020 and is awaiting determination. This application was accompanied by a Viability Appraisal which notes that due to the site's characteristics of a former Glass Factory with widespread land contamination, varied topography and mine shafts, there are significant abnormal costs associated with bringing the site forward for housing and concludes that no affordable housing nor planning contributions are viable on the site.</p> <p>A resolution to grant planning permission subject to a S106 agreement was made by the SHMBC Planning Committee on 16th March 2021.</p>
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Table 4.12 –Site 6HA Summary

Summary and Commentary

- 4.21 Site 6HA is a brownfield site located directly to the north of St Helens Town Centre. It is 31.09 ha in size with an indicative capacity of 1,100 dwellings.
- 4.22 According to SHMBC's updated May 2021 trajectory the site will deliver 90 dwellings in the 5YHLS and 585 over the plan period.
- 4.23 However, based on the same build-out rate used by the Council but a more realistic lead-in time and estimated completion of the 1st dwelling in September 2023, a more realistic trajectory is set out in Table 27 below in red. This results in two quarters of delivery in 2023/24 and 607 dwellings in total over the plan period and 112 in the 5YHLS.

Year	20 /2 1	21 /2 2	22 /2 3	23 /2 4	24 /2 5	25 /2 6	26 /2 7	27 /2 8	28 /2 9	29 /3 0	30 /3 1	31 /3 2	32 /3 3	33 /3 4	34 /3 5	35 /3 6	36 /3 7
Dwellings	n/ a	0	0	0	45	45	45	45	45	45	45	45	45	45	45	45	45

Table 4.13 – Council's claimed supply from 6HA as updated in document SHBC007 in May.

- 4.24 The site falls within proposed Affordable Housing Zone 2 where 0% affordable housing will be sought from brownfield sites. In addition, the outline planning application that has a resolution to grant (Ref: P/2020/0083/OUEIA) includes 0% affordable housing. Therefore, regardless of the projected delivery rates, based on an overall capacity of 585

dwellings during the plan period, the site would deliver 0 affordable dwellings over the plan period and 0 affordable dwellings during the first five years.

7HA - Land West of the A49 Mill Lane and to the East of the West Coast Mainline railway line, Newton-le-Willows

Affordable Housing Zone	2
Greenfield / Brownfield	Part Brownfield / Part Greenfield
Required Affordable Housing contribution based on emerging policy	0%
Key Site Constraints	<ul style="list-style-type: none"> • Site contains a Local Wildlife Site (Newton Brook) and a TPO. • Medium size site (180 units) located 827m from AQMA. • Within a ground water source protection zone. • Site is 91% in Flood Zone 1, 9% in Flood zone 2 and 8% in Flood Zone 3. • 90% of site within a Medium-High or High Landscape Sensitivity area and 10% in Low/Medium landscape sensitivity area. Site is over 6.4km from prominent ridgelines. • Site of Archaeological Interest is 19m from the site and 313m to the nearest listed building. Effects possible.
Planning History	Part of the allocation is occupied by the Penkford School for children with Special Educational Needs. A planning application (Ref: P/2021/0028/FUL) for the redevelopment of the Red Bank Educational Unit to facilitate the relocation of Penkford School including extension to existing building, new playing field and a new car park was submitted in January 2021 and is awaiting determination.

Table 4.14 –Site 7HA Summary

Summary and Commentary

- 4.25 Site 7HA is a part brownfield / part greenfield site located to the south east of Newton-le-Willows. It is occupied by several buildings with some areas of green space. It is 8.03ha in size with an indicative capacity of 181 dwellings.
- 4.26 According to SHMBC's May 2021 updated trajectory, the site will deliver 20 dwellings in the 5 year period (2021-2026) and 181 dwellings in the plan period (extended to 2037).

Year	20 /2 1	21 /2 2	22 /2 3	23 /2 4	24 /2 5	25 /2 6	26 /2 7	27 /2 8	28 /2 9	29 /3 0	30 /3 1	31 /3 2	32 /3 3	33 /3 4	34 /3 5	35 /3 6	36 /3 7
Dwellings	n/ a	0	0	0	0	20	40	40	40	40	1	0	0	0	0	0	0

Table 4.15 – Council's claimed supply from 7HA as updated in documents SHBC007 in May 2021.

- 4.27 The site falls within proposed Affordable Housing Zone 2. Given the site is mostly brownfield, it is likely that 0% affordable housing will be sought. Based on an overall capacity of 181 dwellings during the plan period (20 dwellings in the 5YHLS), the site would deliver 0 affordable dwellings over the plan period and 0 affordable dwellings during the first five years. Even if a level of affordable housing was sought, it would be unlikely to be the full 30%. Based on a rough estimation of 15% provision (based on the site being roughly half brownfield and half greenfield), the site would still only deliver 28 affordable dwellings over the plan period and 3 affordable dwellings during the first five years.

8HA - Land South of Higher Lane and East of Rookery Lane, Rainford

Affordable Housing Zone	3
Greenfield / Brownfield	Greenfield
Required Affordable Housing contribution based on emerging policy	30%
Key Site Constraints	<ul style="list-style-type: none"> Site contains TPO, effects likely. Site is made up of 93% Grade 1 Agricultural Land (12.25ha). 100% of site within Medium-High or High Landscape Sensitivity area and 787m from prominent ridge.

	<ul style="list-style-type: none"> Listed building within 12m (Dial House). Development is likely to have a significant effect on the heritage asset unless screening is adopted. Access to Leisure: No facilities within 1200m.
Planning History	The site is currently located in the Green Belt. There is no planning history of direct relevance.

Table 4.16 – Site 8HA Summary

Summary and Commentary

4.28 Site 8HA is a greenfield site located directly to the south-east of Rainford. It is roughly rectangular in shape and is 11.49ha with an indicative capacity of 259 dwellings.

4.29 According to SHMBC's updated May 2021 trajectory, the site will deliver 259 in the plan period with 22 dwellings in the 5YHLS.

Year	20 /2 1	21 /2 2	22 /2 3	23 /2 4	24 /2 5	25 /2 6	26 /2 7	27 /2 8	28 /2 9	29 /3 0	30 /3 1	31 /3 2	32 /3 3	33 /3 4	34 /3 5	35 /3 6	36 /3 7
<i>Dwellings</i>	n/a	0	0	0	0	22	45	45	45	45	45	12	0	0	0	0	0

Table 4.17 – Council's claimed supply from 8HA as updated in documents SHBC007 in May 2021.

4.30 In the context that SHMBC is only suggesting a modest 22 dwellings within the first five years, it is highly likely that the site could deliver no housing, and thus no affordable housing during the first five years. The site falls within proposed Affordable Housing Zone 3 where 30% affordable housing will be sought (albeit it is possible that a lower percentage provision could be negotiated on viability grounds). Based on an overall capacity of 259 dwellings and the Council's trajectory, in a policy compliant scenario the site would deliver 78 affordable dwellings over the plan period and just 7 affordable dwellings in the first five years.

9HA - Former Linkway Distribution Park, Elton Head Road, Thatto Heath

Affordable Housing Zone	2
Greenfield / Brownfield	Brownfield ²

² Based on classification in Council's Viability Appraisal (VIA001).

Required Affordable Housing contribution based on emerging policy	0%
Key Site Constraints	<ul style="list-style-type: none"> Potentially adverse effects due to the site being 46m from a local wildlife site. Housing proposed on land currently used for employment.
Planning History	<p>A hybrid planning permission (Ref: P/2018/0060/FUL) for demolition of existing buildings and residential development of up to 352 dwellings was approved on 20th June 2018. It included a condition requiring 30% of housing units to be affordable, unless demonstrated otherwise on the basis of viability evidence. An application for the removal of Condition 33 (affordable housing provision) attached to application P/2018/0060/FUL was submitted in December 2020 (Ref: P/2020/0894/S73) but withdrawn on 27th April 2021.</p> <p>A reserved matters application for 'residential development of 294 dwellinghouses with accesses from Sherdley Road including landscaping, public open space, garages, car parking, and associated infrastructure' was validated on 23 April 2021. The application is made by Bloor Homes and is supported by a financial viability appraisal demonstrating that the site can deliver no affordable housing on or off-site.</p>

Table 4.18 – Site 9HA Summary

Summary and Commentary

- 4.31 Site 9HA is a brownfield site located between Sutton Heath and Thatto Heath. It is occupied by several industrial buildings with a strip of green space to the eastern side of the site. It is 12.39ha in size with an indicative capacity of 350 dwellings.
- 4.32 According to SHMBC's updated May 2021 trajectory, the site will deliver 350 in the plan period, Council's claimed supply, with 135 dwellings in the 5YHLS.

Year	20 /2 1	21 /2 2	22 /2 3	23 /2 4	24 /2 5	25 /2 6	26 /2 7	27 /2 8	28 /2 9	29 /3 0	30 /3 1	31 /3 2	32 /3 3	33 /3 4	34 /3 5	35 /3 6	36 /3 7
Dwellings	n/a	0	0	45	45	45	45	45	45	45	37	0	0	0	0	0	0

Table 4.19 – Council's claimed supply from 9HA as updated in documents SHBC007 in May 2021.

- 4.33 The site falls within proposed Affordable Housing Zone 2. Given the site is brownfield, 0% affordable housing will be sought. Whilst there is an existing hybrid permission on the site which included a condition requiring 30% of housing units to be affordable, the subsequent reserved matters application includes no affordable housing based on a viability appraisal.
- 4.34 Based on an overall capacity of 352 dwellings during the plan period, on this basis the site will likely deliver 0 affordable dwellings over the plan period and 0 affordable dwellings during the first five years.

10HA - Moss Nook Urban Village, Watery Lane, Moss Nook

Affordable Housing Zone	1
Greenfield / Brownfield	Brownfield
Required Affordable Housing contribution based on emerging policy	0%
Key Site Constraints	<ul style="list-style-type: none"> • Site contains is 288m Local Wildlife site and is 89m to the nearest TPO. • Located 1.8km from AQMA. Could generate additional car traffic in the urban area. • Site is 19m from a listed building.
Planning History	A hybrid permission was granted by the Secretary of State on 18 July 2007 (Ref: P/2003/1574) including residential development of a maximum of 1,200 dwellings, open space and commercial development. A Section 73 application (Ref: P/2011/0058) which sought to revise the approved parameters plan and the highways requirements was approved on 22nd May 2017. A subsequent reserved matters application (Ref: P/2021/0015/RES) for 258 dwellings on part of the site to the south was submitted by Taylor Wimpey and validated on 6 January 2021 and is awaiting determination. This includes no affordable housing provision.

Table 4.20 –Site 10HA Summary

Summary and Commentary

- 4.35 Site 10HA is a brownfield site located to the north of Sutton. It is 26.74ha in size with an indicative capacity of 802 dwellings.
- 4.36 According to SHMBC's updated May 2021 trajectory, the plan period delivery from the site will be 630 dwellings, with 135 dwellings in the 5YHLS.

Year	20 /2 1	21 /2 2	22 /2 3	23 /2 4	24 /2 5	25 /2 6	26 /2 7	27 /2 8	28 /2 9	29 /3 0	30 /3 1	31 /3 2	32 /3 3	33 /3 4	34 /3 5	35 /3 6	36 /3 7
Dwellings	n/ a	0	0	45	45	45	45	45	45	45	45	45	45	45	45	45	45

Table 4.21 – Council's claimed supply from 10HA as updated in documents SHBC007 in May 2021.

- 4.37 The site falls within proposed Affordable Housing Zone 1 where 0% affordable housing will be sought as it is a brownfield site. In addition, a reserved matters planning application for part of the site has been submitted (Ref: P/2021/0015/RES) which proposes 0% affordable housing. Therefore, regardless of the projected delivery rates, based on an overall capacity of 630 dwellings during the plan period, the site would deliver 0 affordable dwellings over the plan period and 0 affordable dwellings during the first five years.

Site Ref (a)	Indicative Site Capacity (Total) (b)	Dwellings over plan period based on Council's trajectory (d)	Affordable dwellings over plan period based on Council's trajectory (e)	Dwellings in 5YHLS based on Council's trajectory (f)	Affordable dwellings in 5YHLS based on Council's trajectory (g)
1HA	216	216	65	20	6
2HA	522	427	128	0	0
3HA	337	131	7	131	7
4HA	2,988	420	126	0	0
5HA	569	517	155	22	7
6HA	816	585	0	90	0
7HA	181	181	28	20	3
8HA	259	259	78	22	7
9HA	350	352	0	135	0
10HA	802	630	0	135	0
	7,040	3,718	587	575	30

Table 4.22 - Summary of analysis of proposed housing allocations

Appendix 5

Right to Buy consultation





Ministry of Housing,
Communities &
Local Government

Use of receipts from Right to Buy sales

Consultation



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Scope of the consultation

Topic of this consultation:	This consultation seeks views on options for reforming the rules governing the use of Right to Buy receipts from the sale of council housing, and whether we should reform the commitment that every additional home sold (as a result of the increase in discounts in 2012) is replaced on a one-for-one basis nationally.
Scope of this consultation:	This consultation seeks views on the options and invites consultees to comment as well as respond to specific questions.
Geographical scope:	These proposals relate to England only.
Impact Assessment:	The purpose of the consultation is to seek views on options to reform the rules governing the use of Right to Buy receipts. Any policy changes brought forward as a result of the consultation would be subject to appropriate assessment.

Basic Information

To:	This consultation is open to everyone. It is primarily aimed at stock-holding English local housing authorities.
Body/bodies responsible for the consultation:	Ministry of Housing, Communities and Local Government
Duration:	This consultation will last for 8 weeks and will close on 9 October 2018.
Enquiries:	For any enquiries about the consultation please contact RTBconsultation@communities.gsi.gov.uk .
How to respond:	<p>Consultation responses should be submitted by online survey:</p> <p>https://www.surveymonkey.co.uk/r/RTBconsultation</p> <p>We strongly encourage responses via the online survey, particularly from organisations with access to online facilities such as local authorities, representative bodies and businesses.</p> <p>Should you be unable to respond online we ask that you complete the pro forma at the end of this document. Additional information or evidence can be provided in addition to your completed pro forma.</p> <p>In these instances you can email your pro forma to:</p> <p>RTBconsultation@communities.gsi.gov.uk</p>

Or send to:
Right to Buy Consultation Response
Right to Buy and Local Authority Housing Division
Ministry of Housing, Communities and Local Government
3rd floor,
Fry Building
2 Marsham Street
LONDON
SW1P 4DF

When you reply it would be very useful if you confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name,
- your position (if applicable),
- the name of organisation (if applicable),
- an address (including post-code),
- an email address, and
- a contact telephone number

Introduction

- 1 The Social Housing Green Paper, “A new deal for social housing”, published today sets out the Government’s vision for social housing following wide ranging and extensive engagement with social housing residents and landlords. Social housing remains central to our supply ambitions, providing a stable base that supports people when they need it. But our social housing offer must also be one that supports social mobility. The Green Paper includes a chapter on supply and supporting home ownership which sets out options to support local authorities to build more homes. These include changing the rules around how local authorities can use the money raised from Right to Buy sales in order to make it easier for them to build more homes. This consultation paper provides the opportunity to comment on these ideas, which are set out in more detail below. It also sets out options for reforming the commitment that every additional home sold (as a result of the increase in discounts introduced in 2012) is replaced on a one-for-one basis nationally.

Background

- 2 Under current Right to Buy legislation, council tenants – and housing association tenants who transferred with their homes from council landlords – have the right to buy their home at a discount, with the amount of discount dependent upon the length of time as a social tenant. Right to Buy discounts are currently a maximum of £108,000 in London and £80,900 outside of London.
- 3 In April 2012 the Right to Buy was reinvigorated by the Government and the maximum Right to Buy discounts were increased. A commitment was also introduced for the first time that for every additional sale (above the original baseline forecast under the Self-Financing Settlement), a new affordable home would be provided nationally through acquisition or new supply. Local authorities could also enter into an agreement with the Government to retain these additional sales receipts to fund the provision of the replacement stock.
- 4 Under the terms of the current agreements, made under Section 11(6) of the Local Government Act 2003, local authorities are required to spend retained Right to Buy receipts within three years, and for the receipts to fund no more than 30% of the cost of a replacement unit. Where a local authority is unable to spend receipts within three years they have to be returned to the Ministry of Housing, Communities and Local Government, together with interest of 4% above base rate, to be spent on affordable housing through Homes England or the Greater London Authority.
- 5 Statistics released in March 2018 showed for the first time that while the overall number of homes available for social rent has increased, local authorities have not been building enough Right to Buy replacements to match the pace of sales and the commitment that every additional home sold would be replaced on a one-for-one basis nationally is no longer being met. It is clear that local authorities need to increase their rate of delivery of new homes if they are to match the growth in sales.

- 6 The Government recognises that more needs to be done to help councils deliver replacement homes and have already taken action. Local authorities in high affordability pressure areas are able to [bid for additional Housing Revenue Account borrowing](#) which can be used alongside their unspent Right to Buy receipts to build new homes, and we have set a longer-term rent deal to provide investment stability.
- 7 The Government is aware from engagement with the sector that the current restrictions around the use of Right to Buy one-for-one receipts are a barrier to delivery. To help councils build more homes, the Government believes there is a case for greater flexibility on the use of receipts from Right to Buy sales. In a written Ministerial statement issued on 29 March 2018, the Government said it would consult further with the sector on how local authorities can use their Right to Buy receipts, and how to ensure that we continue to support local authorities to build more council homes.
- 8 The purpose of this consultation paper is to seek views on options for reforming the rules governing the use of Right to Buy receipts from the sale of council housing, and options for reforming the commitment that every additional home sold (as a result of the increase in discounts in 2012), is replaced on a one-for-one basis nationally.
- 9 The paper poses a number of specific questions. When responding it would be useful if you could identify which questions you are answering. The questions are set out in the attached pro forma.

Options for reforming the rules around the use of Right to Buy receipts

1. Timeframe for spending Right to Buy receipts

- 10 Local authorities are currently required to spend their one-for-one Right to Buy receipts within three years. If the receipts are not spent within three years the authority has to return them to the Ministry of Housing, Communities and Local Government together with interest of 4% above base rate. Returned receipts are used through Homes England or the Greater London Authority for the provision of affordable housing. The Government is aware that local authorities are frustrated when they have to return receipts plus interest despite having developments in the pipeline that they could be used on if they were able to keep them for longer.
- 11 The Government is not, however, minded to extend the three year deadline for all receipts as the ambition is still for local authorities to deliver replacements quickly and local authorities have now had six years since the rules were introduced in 2012 to build up their experience and capacity to develop and deliver new housing.
- 12 The Government is considering allowing local authorities to hold receipts they currently retain for five years instead of three, to give them longer to spend the receipts that they already have. This would also be helpful for those local authorities that are successful

in bidding for additional borrowing through the Housing Revenue Account [additional borrowing programme](#). It would also allow time for the other flexibilities proposed in this paper to be introduced, which will help make it easier for both existing and future receipts to be used.

- 13 If this flexibility was introduced, it would be made clear which receipts would fall under the five-year rule and which would fall under the three-year rule based on the quarter the receipts were received.

Question 1:

We would welcome your views on extending the time limit for spending Right to Buy receipts from three years to five years for existing receipts but keeping the three-year deadline for future receipts.

2. Cap on expenditure per replacement unit

- 14 Right to Buy receipts can currently fund no more than 30% of the cost of a replacement home (whether through acquisition or new build) and local authorities have to find additional funding for the remaining 70%.
- 15 The Government believes that this should be feasible for authorities in typically higher-demand areas where the rental stream is sufficient to finance the remaining (up to) 70% through borrowing. However, if an authority is in a high-demand area but up against its borrowing cap and therefore unable to borrow, or in a low-demand area where they are able to borrow but rents are too low to finance the required level of borrowing, this can provide a significant stumbling block. It can also be problematic for authorities wanting to build homes for social rather than affordable rent, as these require a greater subsidy than 30%.
- 16 The Government is therefore considering allowing greater flexibility in the following circumstances:
- a) Increase the cap to 50% of build costs for homes for social rent in areas where authorities meet the eligibility criteria of the Affordable Homes Programme and can demonstrate a clear need for social rent over affordable rent; and
 - b) Allow local authorities to “top-up” insufficient Right to Buy receipts with funding from the Affordable Homes Programme up to 30% of build cost for affordable rent, or 50% of build costs for social rent where authorities can demonstrate a need for social rent, with bids for top-up to be submitted to the Affordable Homes Programme.

Question 2:

We would welcome your views on allowing flexibility around the 30% cap in the circumstances set out above, and whether there are any additional circumstances where flexibility should be considered.

3. Use of receipts for acquisition

17 Local authorities can use Right to Buy receipts for the acquisition of existing properties as well as for new build, and acquisitions currently account for around 40% of replacements. Last-minute high-value acquisitions, where local authorities use receipts rather than have to return them to the Department together with interest, have been highlighted as one of the problems affecting replacement. This has an impact on the level of new supply being achieved through Right to Buy receipts. However, in some areas acquisition may be cheaper than new build and offer better value for money or may better reflect local needs. Acquisition can also be effective in bringing empty properties back into use. The Government does not therefore propose to implement a blanket ban on acquisition but is considering restricting acquisitions in order to help drive up new supply.

18 We have considered restricting the use of receipts for acquisition by:

- a) introducing a price cap per dwelling based on average build costs at Homes England and Greater London Authority operating area level;

Table 1 – Average total scheme costs (build cost) by operating area provided by Homes England and the Greater London Authority.¹

Homes England/GLA Operating Areas	Average Total Scheme Costs (2018/19 prices)
Midlands	132,000
North East, Yorkshire and the Humber	113,000
North West	122,000
South East	167,000
South West	152,000
Inner London	268,000
Outer London	265,000

For example, in the North East or Yorkshire and the Humber areas, it may sometimes be cheaper to acquire a property for less than £113,000 rather than build a new unit. In this case, the local authority would be allowed to acquire the property rather than build a new unit.

However, in London, in most instances, it is likely to be cheaper to build a new property than to acquire one. Purchases of properties over £265,000 in Outer London and £268,000 in Inner London would not be allowed.

¹ This is based on programme data from the Affordable Homes Programme between 2015-18. These have been updated to 2018/19 prices using the Consumer Price Index (CPI) forecasts produced by the Office of Budget Responsibility from Spring Statement 2018

or

b) allowing acquisition in certain areas only, for example, where average build costs are more than acquisition costs.

Our preference is for option a) as option b) would effectively introduce a blanket ban in some areas, which would prevent acquisition of empty properties in those areas.

Question 3:

We would welcome your views on restricting the use of Right to Buy receipts on the acquisition of property and whether this should be implemented through a price cap per unit based on average build costs.

4. Tenure of replacement home

- 19 Housing built or acquired by local authorities using Right to Buy receipts has to be provided at affordable or social rent. There can be viability issues in providing homes under these tenures for some developments and the Government is considering allowing local authorities flexibility to use receipts for shared ownership housing as well as for affordable and social rent. This could help with viability in some areas and is in line with the definition of affordable housing used under the Affordable Homes Programme.
- 20 Whilst this flexibility could lead to a reduction in the number of replacements being offered at affordable or social rent in some areas, this would be a matter for local authorities to determine in accordance with local needs. We are aware from our engagement with local authorities that this flexibility is not, in any case, likely to be taken up in all areas.

Question 4:

We would welcome your views on allowing local authorities to use Right to Buy receipts for shared ownership units as well as units for affordable and social rent.

5. Changing the way the cost of land is treated

- 21 Local authorities have to account for their spending and income in a way that satisfies government regulations. Local authorities include most day-to-day spending and income within an account called the General Fund. The General Fund includes spending and income from a range of services including refuse collection, leisure facilities and community development work. Those authorities with a council-owned housing stock have a duty to maintain an additional account called the Housing Revenue Account. The Housing Revenue Account specifically accounts for spending and income relating to the management and maintenance of the council-owned housing stock.

- 22 The majority of local housing authorities (166) have a Housing Revenue Account. In other areas, all council homes have been transferred to Housing Associations. The Housing Revenue Account is governed by strict rules, set out in primary and secondary legislation which control rents and the type of tenancies that can be offered, and give tenants the Right to Buy. The Housing Revenue Account is separated from the local authority's General Fund by a "ring fence" to prevent council tax payers subsidising council housing, and vice versa.
- 23 Where local authorities want to use land in their General Fund to build housing on, they are required to compensate the General Fund from their Housing Revenue Account for the value of the land and the value of the land is not counted as a cost in calculating the authority's one-for-one expenditure. The Government is considering relaxing this restriction to allow local authorities to gift land from the General Fund to their Housing Revenue Account at zero cost, without increasing the Housing Revenue Account Capital Finance Requirement or increasing borrowing limits by the amount necessary to transfer land into the Housing Revenue Account. This will make it easier for local authorities to use land from within their General Fund for housing delivery.
- 24 We are considering limiting this to land which has been held in the General Fund for a number of years and are considering whether this should only apply to land which has not previously been developed or whether to also include land with derelict buildings.

Question 5A:

We would welcome your views on allowing the transfer of land from a local authority's General Fund to their Housing Revenue Account at zero cost.

Question 5B:

We would also welcome your views on how many years land should have been held by the local authority before it can be transferred at zero cost, and whether this should apply to land with derelict buildings as well as vacant land.

6. Transferring receipts to a Housing Company or Arm's-Length Management Organisation (ALMO)

- 25 Local authorities are increasingly setting up housing companies as a means of developing expertise and capacity in delivering new housing. Local authorities are not currently allowed to transfer Right to Buy receipts to a housing company or to an Arm's-Length Management Organisation as the homes built through these organisations do not come under the Housing Revenue Account and are, therefore, not subject to the same protections which residents in council homes enjoy. This means that rents are not set according to government policy and residents are not guaranteed a right to buy their homes.
- 26 The Government believes that, in general, social and affordable housing should be built and managed within a local authority's Housing Revenue Account so that residents' rights are protected and they have access to the Right to Buy. Maintaining this

provision also guarantees the integrity of the ring-fence, protecting both council tenants and Council Tax payers from their money being used for purposes that will not benefit them. However, Government recognises that there are occasions where delivering affordable housing through housing companies might be appropriate, such as where the Housing Revenue Account cannot sustain new building, and is seeking views on the use of Right to Buy receipts through these organisations.

- 27 The Government believes it is important that council social housing residents have the opportunity to realise their aspirations and become homeowners. Where housing companies are delivering and retaining affordable homes we expect them to offer an opportunity for tenants to become homeowners where feasible.

Question 6:

We would welcome your views on whether there are any circumstances where housing companies or Arm's-Length Management Organisations should be allowed to use Right to Buy receipts.

7. Temporary suspension of interest payments

- 28 If a local authority does not spend their Right to Buy receipts within three years the receipts have to be returned to the Ministry of Housing, Communities and Local Government, together with interest of 4% above base rate, to be spent on affordable housing through Homes England or the Greater London Authority. The intention is to encourage local authorities to return receipts sooner where they do not have immediate delivery plans.
- 29 We know that local authorities would prefer to spend the receipts themselves rather than return them to be spent by Homes England/Greater London Authority as returned receipts are not targeted at the local authority area they were returned from. However, there will be instances where a local authority is unable to spend their receipts within the timeframe and the Government is considering providing a short window of time during which local authorities could return receipts without interest.
- 30 If introduced, we consider that this flexibility would apply for one quarter only and that local authorities would be given advance notice of the timing to allow decisions to be taken on whether to return receipts. The period of time the flexibility would operate would tie in with the current Right to Buy pooling requirement timetable.

Question 7:

We would welcome your views on allowing a short period of time (three months) during which local authorities could return receipts without added interest.

8. Other Comments

- 31 We would welcome your views on other flexibilities which could be introduced to make it easier for local authorities to deliver new housing with their Right to Buy receipts.

Question 8:

Do you have any other comments to make on the use of Right to Buy receipts and ways to make it easier for local authorities to deliver replacement housing?

Reforming the replacement commitment

- 32 With the reinvigoration of Right to Buy in 2012, the Government committed to ensuring that, for every additional council home sold as a result of the increased discounts, a replacement home would be provided nationally through acquisition or new build.
- 33 Under the target as it currently stands, sales by each local authority are measured against a baseline of sales predicted pre-reinvigoration in 2012. For any sales above that baseline, councils can choose to keep a proportion of the money to invest in new housing for affordable and social rent, subject to the conditions set out earlier in the paper. If a local authority cannot meet these conditions, they must return the money to the Ministry of Housing, Communities and Local Government to be spent through Homes England or the Greater London Authority on affordable housing. The target measures these additional sales against the number of housing starts made by local authorities, Homes England or the Greater London Authority using the receipts from the additional sales.
- 34 The national target has now been missed for the last two quarters. This trend is set to continue. However, the measurement of the number of homes sold or acquired and the replacements built which count towards the commitment does not currently include:
- Homes sold by councils within the baseline forecast for Right to Buy sales from 2012
 - Homes sold under the preserved Right to Buy
 - Council homes sold other than through the Right to Buy
 - Homes built by local authorities with grant and other funding
 - Affordable homes built by housing associations
- 35 The current target focuses on the effects of one policy and does not take into account Government's other efforts to increase the net supply of social and affordable housing. The Government has a strong record of supporting the building of new social housing, which includes the £9 billion Affordable Homes Programme. As such, since 2012, the number of homes provided for social and affordable rent is 159,000, compared to local authority Right to Buy sales of 66,000. Taking into account the total net change in social and affordable rented housing stock, including the Preserved Right to Buy, other sales and losses due to demolitions, there has been a net increase of 49,000 social

and affordable rented homes since 2012. Therefore, the Government is consulting on whether it would be preferable to measure the overall effects of Government policy on social housing stock, instead of narrowly measuring it against the Right to Buy target.

- 36 One option would be for the Government to drop the current target and to focus on a broader measurement that takes into account all the social and affordable housing that has been sold or lost against the total number of additional social and affordable housing so that it is clear whether there has been an increase rather than loss overall. This would mean that all properties sold under the Right to Buy would be included rather than just those above the baseline forecast in 2012, as well as new social housing bought or built by local authorities and housing associations, regardless of how this has been funded.

Question 9:

Should the Government focus be on a wider measurement of the net increase in the supply of all social and affordable housing instead of the current measurement of additional homes sold and replaced under the Right to Buy? If the target were to change, we would welcome your views on what is the best alternative way to measure the effects of Government policies on the stock of affordable housing.

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included at Annex A.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

Annex A: Personal data

The following is to explain your rights and give you the information you are entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name, address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gsi.gov.uk

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a Government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest, e.g. a consultation.

3. With whom we will be sharing your personal data

Personal data will not be shared outside of MHCLG. Any data that is shared beyond MHCLG will be anonymised.

4. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for two years from the closure of the consultation.

5. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

6. The Data you provide directly will be stored by SurveyMonkey on their servers in the United States. We have taken all necessary precautions to ensure that your rights in terms of data protection will not be compromised by this.

7. Your personal data will not be used for any automated decision making.

8. Your personal data will be stored in a secure government IT system. Data provided to Survey Monkey will be moved from there to our internal systems by March 2019.

Annex B: Consultation response proforma

If you are responding by email or in writing, please reply using this questionnaire proforma, which should be read alongside the consultation document. If you are completing the form online you are able to expand the comments box should you need more space.

Your Details (Required fields are indicated with an asterix(*))

Family Name (Surname)*	
First Name*	
Title	
Address	
City/Town*	
Postal Code*	
Telephone Number	
Email Address*	

Are the views expressed on this consultation your own personal views or an official response from an organisation you represent?* (please tick as appropriate)

☐ Personal View

☐ Organisational Response

Name of Organisation (if applicable)

--

If you are responding on behalf of an organisation, please tick the box which best describes your organisation.

☐ Local Authority (including National Parks, Broads Authority, the Greater London Authority and London Boroughs)

☐ Neighbourhood Planning Body/Parish or Town Council

☐ Private Sector organisation (including housebuilders, housing associations, businesses, consultants)

☐ Trade Association /Interest Group/Voluntary or Charitable organisation

Other (Please specify)

--

Options for reforming the rules around the use of Right to Buy receipts

Timeframe for spending Right to Buy receipts

Question 1:

We would welcome your views on extending the time limit for spending Right to Buy receipts from three years to five years for existing receipts but keeping the three year deadline for future receipts.

Please enter your comments here

Cap on expenditure per replacement unit

Question 2:

We would welcome your views on allowing flexibility around the 30% cap in the circumstances set out in the consultation paper, and whether there are any additional circumstances where flexibility should be considered.

Please enter your comments here

Use of receipts for acquisition

Question 3:

We would welcome your views on restricting the use of Right to Buy receipts on the acquisition of property and whether this should be implemented through a price cap per unit based on average build costs.

Please enter your comments here

Tenure of replacement home

Question 4:

We would welcome your views on allowing local authorities to use Right to Buy receipts for shared ownership units as well as units for affordable and social rent.

Please enter your comments here

Changing the way the cost of land is treated

Question 5A:

We would welcome your views on allowing the transfer of land from a local authority's General Fund to their Housing Revenue Account at zero cost.

Please enter your comments here

Question 5B:

We would also welcome your views on how many years land should have been held by the local authority before it can be transferred at zero cost, and whether this should apply to land with derelict buildings as well as vacant land.

Please enter your comments here

Transferring receipts to a Housing Company or Arm's-Length Management Organisation (ALMO)

Question 6:

We would welcome your views on whether there are any circumstances where housing companies or Arm's-Length Management Organisations should be allowed to use Right to Buy receipts.

Please enter your comments here

Temporary suspension of interest payments

Question 7:

We would welcome your views on allowing a short period of time (three months) during which local authorities could return receipts without added interest.

Please enter your comments here

Other comments

Question 8:

Do you have any other comments to make on the use of Right to Buy receipts and ways to make it easier for local authorities to deliver replacement housing?

Please enter your comments here

Reforming the replacement commitment

Question 9:

Should the Government focus be on a wider measurement of the net increase in the supply of all social and affordable housing instead of the current measurement of additional homes sold and replaced under the Right to Buy? If the target were to change, we would welcome your views on what is the best alternative way to measure the effects of Government policies on the stock of affordable housing.

Please enter your comments here

Appendix 6

Extract of Planning Appeal Decision APP/A0665/W/14/2212671
at Darnhall School, Winsford Lane, Cheshire

St Helen's Local Plan Examination

Lovell Partnership Limited's response to Matters 5 and 7

Affordable Housing Supply



Social

408. The proposal would deliver 40% of the dwellings as affordable housing, 10% more than the requirement. The facts surrounding the extent of the need for affordable housing are again in dispute. Notwithstanding that the Council accepts that the need for affordable housing in CW&C is such that the provision of 40%, which is 10% above the LP target of 30%, should be afforded substantial weight. The dispute is over the attachment of the pronoun “very” [IR 175, 182, 275 & 283].
409. Affordability appears to have got worse in CW&C and the numbers on its housing register have more than doubled since it was reviewed in 2014. At the same time, affordable homes have continually been lost from the stock as a result of the “right to buy”. Nevertheless, in the context of the LP target of 30%, on past performance the Council appears to be capable of meeting this and achieving the delivery of 6,600 affordable units over the plan period [169, 172, 173, 188, 276 & 277].
410. The unachieved provision of 714dpa. and the corresponding shortfall of 1,503d, referred to by the Appellant, are in the context of the backlog being resolved within five-years. That was never going to be achieved, without a substantial increase in public funds, because it would involve 65% of all dwellings constructed over the five-year period being affordable. As the LP Inspector observed, the figure would still be reduced if the backlog was cleared over a longer period, such as the plan period. However, meeting all of the existing and future affordable housing needs by 2030 from the private sector contribution even if it were always 30%, is likely to be an impossible task [IR173, 174, 176, 178, 179 & 278-280].
411. Nevertheless, because of public investment, the evidence suggests that provision has fared better in Winsford, over the plan period to date, than in the Borough as a whole. Additionally, and despite this and its overall opposition to the proposal, the Town Council in its evidence considers that there is a need for more affordable homes and would welcome the provision on this site. Furthermore, the backlog represents people in housing need now, some of them acutely and so it should not be easily glossed over. I agree that at least substantial weight should be given to the provision of affordable housing on the site [IR 171, 177, 180, 182, 183, 281-283 & 315].
412. The self-build plots would help meet the government’s objective expressed in the Housing White Paper and now included in the revised Framework, to support the growth of self and custom build homes. Whilst maintaining a register of those seeking to acquire serviced plots under Section 1 of the Self-Build and Custom Housebuilding Act 2015, to date there are no specific development permissions in CW&C to meet the identified demand. As identified through the Council’s self-build register that amounts to 309 households. In Xx the Council confirmed that it did not know how many self-build plots it had granted planning permission for during the plan period. The extent to which the Council has supplemented this data with secondary information, as recommended by the Framework, was also not clear but despite Build Store’s database identifying 443 registrants within ten miles of the appeal site, the Council maintained that there is no demand at all in Winsford for such housing on a large site [IR 184-196 & 284-288].

**APPENDIX III – ANTICIPATED TRAJECTORY FOR LAND AT CHAPEL
LANE (6HS)**

- Adoption of Local Plan – December 2021;
- Submission of Planning Application - December 2021; (upon adoption of plan);
- Determination of application – by end March 2022; (13 weeks determination);
- Discharge of conditions – by end July 2022 (4 months);
- Start on site – August 2022 (1 month);
- 1st completion – March 2023; (6-8 months);
- Delivery of 5 per month from 1 April 2023 gives:

Year	21/22	22/23	23/24	24/25	25/26	Total 5YHLS
<i>Delivery from Chapel Lane Site</i>	<i>0</i>	<i>0</i>	<i>60</i>	<i>60</i>	<i>90</i>	<i>150</i>