



ST HELENS
BOROUGH COUNCIL

ST HELENS BOROUGH LOCAL PLAN 2020-2035

ST HELENS BOROUGH COUNCIL'S RESPONSE TO INSPECTORS MATTERS ISSUES AND QUESTIONS

**Matter 4 – Allocations, Safeguarded Land and
Green belt Boundaries
Rainford, Billinge, Garswood and Haydock**

SESSION 5 – 9:30 WEDNESDAY 9 JUNE 2021

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Matter 4: Allocations, Safeguarded Land and Green Belt Boundaries – Rainford, Billinge, Garswood and Haydock

(Policies Covered: LPA04, LPA04.1, LPA05, LPA05.1, LPA06)

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

- 1. Do the Green Belt assessments support the allocation of Site 8HA and demonstrate exceptional circumstances for the removal of the land from the Green Belt?*

Site 8HA

Site 8HA is comprised of the majority of sub-parcel GBP_019A in the Green Belt Review 2018 (GBR) (SD020). The Stage 1B Green Belt assessment found this sub-parcel to score “low” in terms of the significance of its contribution to the purposes of the Green Belt. This was influenced by the conclusions that this sub-parcel’s role in preventing sprawl and the merging of settlements is limited, and that its development would not result in significant countryside encroachment. The Stage 2B assessment found the site to have good development potential, resulting in an overall score of 6 in the assessment, the highest possible score in the Green Belt assessment.

The site commentary in Table 5.2 found that the sub-parcel has a high degree of visual containment, due to the presence of development (housing and industrial), mature trees and highways along its boundaries. Development of the sub-parcel would involve the loss of high quality agricultural land, but the assessment considered this unavoidable as there were no other sites in or around Rainford that would avoid the loss of this, be deliverable and perform as well in terms of impact on the openness and purposes of the Green Belt. Furthermore, the site was identified as having the potential to provide functionally linked habitat for pink footed geese. Accordingly, any development would need to be accompanied by an ecological survey and include mitigation measures, if required. On the basis that this affects many other areas in the northern part of the Borough, this was not considered reason to discount the parcel.

A number of other constraints were identified, including protected trees close to the site boundary, the requirement of a buffer along the south of the sub-parcel along its boundary with the Rainford Linear Park footpath to provide flood storage and habitat creation, and the presence of a listed building to the north of the sub-parcel. However, all of these matters can be mitigated through the detailed design and layout of the development. In terms of benefits, the GBR found the site to be sustainable with good access to public transport, the local highway network and employment areas. To summarise, the GBR found the parcel has many positive attributes supporting its release from the Green Belt and allocation for housing. The constraints identified are not considered to detract from this. Therefore, exceptional circumstances have been demonstrated and justification for the removal of the site from the Green Belt supported through the assessment.

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

Policy LPA02 explains in paragraph 1 that the sustainable regeneration and growth of St Helens Borough through to 2035 and beyond will be focussed (as far as practicable, having regard to the availability of suitable sites) on the Key Settlements. The policy then continues to list the Key Settlements, and this includes Rainford. This is expanded on in the reasoned justification, paragraphs 4.6.3 and 4.6.8-4.6.10.

The latter paragraphs explain that whilst the Council will continue to give priority to the development of suitable and available sites within the urban areas, there is lack of sufficient capacity on these sites to meet identified needs, and no scope for other Councils to help meet the needs of St Helens. Therefore, some sites on the edge of existing settlements are proposed to be removed from the Green Belt to meet needs over the Plan period, and beyond.

This therefore provides the exceptional circumstances to release sites such as 8HA. However, it is acknowledged that there is potential scope to provide more detailed justification on an individual site basis using the reasons set out in response to question 1 above. This could be added to the reasoned justification to Policy LPA05, as a main modification, if it is considered necessary for soundness.

3. Is the configuration and scale of allocation 8HA justified taking into account development needs and the Green Belt assessments?

Yes, the configuration and scale of site 8HA is justified. The scale of the development is required in view of the need to meet the identified housing needs over the Plan period, and the recognition that some release of Green Belt sites will be required to achieve this (as set out in Policy LPA02 and the associated reasoned justification).

The scale and configuration has also been informed by evidence through the preparation of the Plan, perhaps most significantly, the findings in the Green Belt Review (GBR) 2018 (SD020), which identified any potential site constraints. The GBR found the site is well-enclosed and mitigation can be provided as part of the scheme design to deliver a high quality development. For example, the inclusion of a buffer along the boundary of Rainford Linear Park will provide flood water storage facilities, enhance biodiversity by enabling new habitat creation and provide a buffer between residential areas and the existing industrial area.

The scale and configuration of the site is therefore that which is considered necessary to deliver a high quality housing scheme that will assist in meeting the identified needs, so is therefore justified.

4. Would the adverse impacts of developing Site 8HA (Green Belt impacts, highway safety, proximity to industrial development) outweigh the benefits?

The benefits of developing site 8HA can be summarised as follows:

- The site's release from the Green Belt and subsequent development for housing would not have a significant adverse impact on the function of the Green Belt as the assessment showed it to be making only a limited contribution, due to its significant degree of enclosure from strong boundaries
- It would enable development in Rainford, which is identified in Policy LPA02 as a "Key Settlement", and therefore aligns with the spatial strategy of the Plan
- It is in a sustainable location, with good access to public transport, employment areas and the local highway network (and access to this can be safely provided)
- Amongst the positive impacts identified in the SA, it was found that new residents would have access to high quality open spaces and natural greenspace.

The identified potential harms in relation to landscape sensitivity, proximity to a listed building, protected trees and the need to provide a buffer to the Rainford Linear Park can all be satisfactorily addressed through the design of an appropriate housing layout. The same applies to the site's proximity to industrial uses, which can be mitigated for, and commonly is in relation to other sites.

In relation to the adverse impacts arising from the loss of agricultural land, the Green Belt assessment states there are no other suitable sites for allocation identified in or around Rainford that would avoid such loss, be deliverable and where development would have as limited an impact on the Green Belt. Therefore this is considered an unavoidable harm, and one that does not outweigh the identified benefits.

Similarly, in relation to the potential of the land to provide functionally linked land habitat for pink-footed geese, this affects many areas in the north of the Borough, and is a matter that can be addressed through suitable mitigation. It is not a constraint that warrants the removal of the allocation.

On balance, it is demonstrated that the adverse impacts do not outweigh the benefits on this site, and the proposed allocation is therefore justified.

5. Is Site 9EA justified taking into account vacant land/units nearby on Rainford Industrial Estate?

Site 9EA is an employment allocation carried over from the CS. It is one of three sites carried forward to the Local Plan following an assessment of their deliverability¹. The site has an extant planning permission which has been part implemented².

¹ See para 4.20 Employment Land Need and Supply Background Paper SD022

² See SD022 Appendix1: Indicative Employment Land Trajectory (page 46). The permission is ref. 1291/017 dated 20.5.1992.

The site was not developed during the last plan period. Efforts were made to develop the site for a specific end user requirement pursuant to a planning permission granted in 2012³. This scheme included a new access road to link with Pasture Lane and the A570 to the south. The route of the access road is not included within the allocation and involved third party land. In 2015, English Land Limited (“English Land”), owners of the Site 9EA, acquired vacant land immediately to the north. This opens up a frontage to Sandwash Close and an opportunity to remove an access constraint for the development of Site 9EA. The Council anticipates development proposals coming forward for Site 9EA combined with the adjoining vacant land in the industrial estate.

Site 9EA has a role in meeting the general requirement for employment land for which there is evidence of demand. The Council considers that there is a reasonable and realistic prospect of the site being delivered in the Plan period as an access constraint which has inhibited development has been resolved.

6. Can a safe and suitable access be achieved to Sites 9EA and 8HA?

There is an implemented planning permission for the development of Site 9EA. The 2012 permission included a new road link to Pasture Lane. This was considered a commercial necessity for the prospective end user of that scheme in order to render the site attractive. The access route for the scheme approved involved third party land and development pursuant to that planning permission has not taken place. In 2015, English Land acquired adjacent vacant land to the north that provides a frontage onto Sandwash Close. The Council anticipate Site 9EA will come forward for development utilising the vacant land adjoining to provide access off Sandwash Close, and therefore conclude that a safe and suitable access for this site can be achieved.

Liaison with the Council’s highway development management officers throughout the plan-making process has indicated that safe and suitable access can be achieved for site 8HA. Access requirements are detailed within Appendix 5, 8HA site profile.

7. Are the requirements for Sites 9EA and 8HA within Appendix 5 (Site Profile) positively prepared and effective?

See proposed MM005 and the updated Site Profiles at Annex 1 to the Draft Main Modifications Schedule (SHBC001)

Site 9EA

With regard to the site 9EA profile in Appendix 5 of the LPSD, reference is made to two planning permissions⁴, which the modified site profile in SHBC001 has now extracted the

³ Application reference P/2012/0043 for the erection of an industrial/warehouse unit 15.500 sqm (use Classes B1/B2/B8) with ancillary offices, landscaping, car parking, security gate house and the construction of a new access link from Pasture Lane to Sandwash Close, including the diversion of Rainford Brook.

⁴ Planning permissions ref. P/2006/115, and P/2009/1046.

key conditions from for inclusion as site requirements. Planning permission reference P/2012/0043, as far as relevant, also identifies matters that require consideration in any development proposal. The requirements are:

- The impact of development on trees and hedgerows and the provision of a woodland management plan for the western and eastern boundaries and to the south of the area to be developed;
- Amenity impact on public rights of way, specifically footpath 816; and
- The protection, management, and reuse of soils elsewhere.

The proposed modifications to the site 9EA profile in SHBC001 could be further updated to reflect these.

As such, the requirements are positively prepared in that they reflect the detailed consideration of the development of the site in the context of a planning application and an ES and are necessary to ensure the delivery of an acceptable development.

The requirements are also justified because they are the product of detailed consideration of the issues arising in an ES for development on the site and in the context of the consideration of a planning application⁵. They are also based on consultation responses from relevant experts.

Site 8HA

The requirements listed in the site 8HA profile (and as proposed to be modified in Annex 1, SHBC010) are positively prepared and effective, because they are site specific and reflect site circumstances understood through the evidence (primarily the GBR). The evidence demonstrates that these requirements are necessary to ensure the delivery of a high quality site, (with any necessary mitigation) can be delivered. In doing so, they are effective.

8. *Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Tables 4.1 and 4.5 justified and effective?*

Site 9EA

The indicative areas and uses identified in Table 4.1 are justified because they reflect the developable area of the site and the range of uses for which the site is suitable.

⁵ Application ref. P/2012/0043

Site 8HA

The Council considers that the net developable area (NDA), minimum density and indicative site capacity for site 8HA included within Table 4.5 is justified and effective.

The Council has applied a net developable area (NDA) of 75% for site 8HA, reflecting a standardised approach that has been used in both the SHLAA (HOU002) and the Economic Viability Assessment (VIA001). Similarly, the minimum densities set out within Table 4.5 are derived from the SHLAA. The rationale for the NDA and minimum densities in the SHLAA are set out in paragraphs 3.44-3.48 (HOU002). Where there are considered to be justifications for deviating from the standard NDA or density to generate a more realistic site capacity (for example the presence of significant onsite constraints), this has been done. However, there is no basis on which to do that in relation to site 8HA.

9. Will infrastructure to support the allocations be delivered at the right time and in the right place?

Site 9EA

Site 9EA has the benefit of an extant planning permission. Irrespective, land has been acquired for a more attractive access option. No other infrastructure is necessary to facilitate the delivery of this site.

Site 8HA

An initial review of the infrastructure requirements for site 8HA has been gathered during the production of the LPSD (primarily through the Green Belt Review and the Infrastructure Delivery Plan), and this will be kept up to date through the lifetime of the Plan to ensure the delivery of necessary infrastructure.

With reference to site 8HA, the IDP indicates that there is suitable provision of social and physical infrastructure within Rainford and that no major infrastructure requirements would be needed in order to facilitate development of the site. Therefore, it is considered that any necessary infrastructure can be delivered at the right time and in the right place, and this will be determined through the development management process.

10. Are there any barriers to Site 8HA coming forward as anticipated by the housing trajectory?

The Council does not anticipate any barriers to site 8HA coming forward in accordance with the updated housing trajectory (SHBC007). As above, there are no significant infrastructure constraints identified, and the site is being actively promoted.

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

11. Do the Green Belt assessments support the allocation of Site 1HA and the safeguarding of Site 1HS and demonstrate exceptional circumstances for the removal of the land from the Green Belt?

Site 1HA

Site 1HA is comprised of the majority of sub-parcel GBP_025B in the GBR. The Stage 1B Green Belt assessment found this sub-parcel to score “low” in terms of the significance of its contribution to the purposes of the Green Belt. This was informed by the strong boundaries present, and therefore the site’s well contained nature. It was considered that the strategic gap between Billinge and Garswood could be maintained if this sub-parcel were released by the Green Belt. The Stage 2B assessment found the site to have good development potential, therefore resulting in the maximum overall score of 6 in the assessment.

The commentary in Table 5.2 found that the parcel has strong boundaries and is in a sustainable location within walking distance of a local convenience shop and public transport (including a train station nearby). It also has access to education and health facilities. Grade 3 agricultural land is present, which whilst still a constraint, this is lower than in some other parts of the Borough. Safe access to the sub-parcel can be provided, and development of this sub-parcel could help address flooding issues in the surrounding urban area. Whilst the sub-parcel itself suffers from some surface water flooding in the north east part, this could be addressed through a suitable Sustainable Urban Drainage Scheme.

The findings of the Green Belt Review therefore support the allocation of this site and demonstrate the exceptional circumstances required for its removal from the Green Belt.

Site 1HS

Site 1HS is comprised of part of sub-parcel GBP_25A in the GBR 2018. The Stage 1B assessment found this sub-parcel to score “medium” in terms of the significance of its contribution to the purposes of the Green Belt. This was informed by the presence of some strong boundaries , meaning the sub-parcel is partially well contained. It was also found that the strategic gap between Garswood and Billinge could be maintained if this sub-parcel was removed from the Green Belt.

The commentary in Table 5.2 found the sub-parcel to be in walking distance of a local convenience shop and readily accessible by bus and rail. Similarly to site 1HA above, it contains Grade 3 agricultural land, which is lower in quality than in some other parts of the Borough. The sub-parcel has been identified as having the potential to provide functionally linked land habitat for pink-footed geese. Therefore, any future development proposal would need to be supported by a suitable ecological survey and include mitigation measures, if required. As this is a constrain affecting many other areas in the northern part of the Borough, it is not considered sufficient to disregard the potential of this sub-parcel.

It was also found that safe vehicular access can be provided, but a constraint exists in relation to the presence of a recreation field in the south east of the sub-parcel. Therefore, this was removed from the extent of the final identified safeguarded land area.

On the basis that this site projects slightly further into the countryside to the west and has a more open aspect than sub-parcel GBP_25B (proposed site allocation 1HA), it was not considered to be as logical an extension to the village as site 1HA. It was therefore recommended that GBP-25B be recommended for allocation to be developed in the Plan period, and sub-parcel GBP_25A (1HS) be safeguarded to meet potential development needs post 2035.

The findings of the GBR therefore support the safeguarding of this site to meet future potential development needs and demonstrate the exceptional circumstances needed to justify its removal from the Green Belt.

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

The articulation of exceptional circumstances in the Plan is explained in response to question 2 above, including the reference to Policy LPA02 and the associated reasoned justification that explains why some sites on the edge of existing settlements are proposed to be removed from the Green Belt to meet needs over the Plan period, and beyond.

Paragraphs 4.24.1-4.24.5 in the reasoned justification to Policy LPA06 builds on this to justify and provide the removal of the safeguarded sites in the Plan. However, the difference in relation to these sites (compared to the response in question 2 above) is that they are located in Garswood. Policy LPA02 clarifies that Garswood is identified as a "Key Settlement" in the Borough, and this is justified in paragraph 4.6.3 of the associated reasoned justification.

This therefore provides the exceptional circumstances to release sites such as 1HA and 1HS from the Green Belt. However, it is acknowledged that there is potential scope to provide more detailed justification on an individual site basis using the reasons set out in response to question 11 above. This could be added to the reasoned justification to Policies LPA05 and LPA06, as a main modification, if it is considered necessary for soundness.

13. Is the configuration and scale of allocation 1HA justified taking into account development needs and the Green Belt assessments?

The Green Belt Review 2018 found the site to be well contained, with strong boundaries and so the configuration of the site is justified in view of the evidence (in the GBR). As the GBR found this proposed allocation site to make only a limited contribution to the Green Belt purposes, and in the context of an identified lack of sufficient supply on non-Green Belt land as set out in Policy LPA02, and the acknowledged need to release some Green Belt sites, the scale and configuration of this site is justified.

14. Would the adverse impacts of developing Site 1HA (Green Belt impacts, highway safety) outweigh the benefits?

No, the development of site 1HA would deliver significant benefits, summarised as follows:

- The delivery of needed homes in accordance with the spatial strategy as Garswood is identified as a Key Settlement in the Plan (Policy LPA02),
- The development of this site would not have a significant adverse impact on the function of the Green Belt, in accordance with the Stage 1B findings in the GBR,
- Safe vehicular access to the site can be provided
- The site is in a sustainable location, with good access to a local shop, public transport (including nearby train station), employment opportunities, education and health facilities, and
- Development of this site could assist in addressing flooding issues in the surrounding urban area.

The only adverse impact that cannot be mitigated through the appropriate design of this site is the loss of Grade 3 agricultural land. However, as set out in the GBR 2018 (SD020), Appendix H, the vast majority of Green Belt land in the Borough is identified as “best and most versatile” (based on a precautionary approach applied by the Council to the grade 3 classification). Therefore, there is a need for some of this land to be released to meet identified needs.

On balance, the identified adverse effects would not outweigh the identified benefits.

15. Are the requirements for Sites 1HA and 1HS within Appendices 5 and 7 (Site Profiles) positively prepared and effective?

Please see the proposed modifications to the Site Profiles for these sites in Annexes 1 and 2 of the Draft Main Modification schedule (SHBC010).

The requirements listed are positively prepared because they are site specific, highlighting matters that will be necessary considerations of any future planning applications (particularly for site 1HA within the Plan period) to ensure the delivery of high quality development that meets the strategic aims and objectives of the Plan.

They are effective because they set out the necessary site requirements that must be delivered, as informed by the evidence (primarily the GBR) to ensure the developments can be delivered and meet the Borough's identified needs, both within the Plan period (1HA) and beyond (1HS).

16. Are the indicative site areas, net developable areas, minimum densities and indicative site capacities within Tables 4.5 and 4.8 justified and effective?

The net developable areas, minimum densities and indicative site capacities for these sites within Tables 4.5 and 4.8 are justified and effective.

The Council has applied a net developable area (NDA) of 75% for these two sites, reflecting a standardised approach that has been used in both the SHLAA (HOU002) and the Economic Viability Assessment (VIA001). Similarly, the minimum densities set out within Table 4.5 are derived from the SHLAA. The rationale for the NDA and minimum densities in the SHLAA are set out in paragraphs 3.44-3.48 (HOU002).

Where there are considered to be justifications for deviating from the standard NDA or density to generate a more realistic site capacity (for example, the presence of significant onsite constraints), this has been done. However, there is no such basis to do that in relation to sites 1HA and 1HS.

The Plan (paragraph 4.18.14) acknowledges that the actual final site capacities delivered may vary on the basis of the acceptability of specific proposals, taking account of relevant policies, and the need for developments to respect local character. However, the indicative capacities set out are considered justified and effective.

Further, with respect to the site 1HS, the Plan states (in footnote 37) that the capacity will be further assessed prior to any decision to allocate it for development in a future Local Plan.

17. Will infrastructure to support the allocations be delivered at the right time and in the right place?

Yes, there are no significant, infrastructure requirements associated with the development of site 1HA that are considered prohibitive to the site being delivered. The usual infrastructure requirements will be delivered in the right place at the right time to support the delivery of this site.

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

There are no barriers to this site being delivered as anticipated in the updated housing trajectory (Appendix 1, SHB007). The first completions are anticipated in 2025/26, and there is no evidence to suggest this is not possible. To the contrary, the site has been actively promoted, so delivery as anticipated is achievable.

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

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

The Council has suggested in SHBC005 (Matter 4 section) in response to the Inspectors' preliminary comments (INSP005) that the Plan could be modified to reflect the up to date status of these sites as complete. Consequently, MM005 has been drafted in the draft Schedule of Main Modifications (SHBC010). This includes the proposed removal of the site profiles for these sites in Appendix 5. This should be accompanied by, as proposed in SHBC005, the removal of the reference to these sites in Table 4.1, and the reference to site 2EA in LPA04.1.

Subject to these changes, the Plan will adequately reflect the status of these sites as completed.

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

At a strategic level there is a requirement to release land from the Green Belt if development needs of the Borough are to be met over the Plan period and there is to be provision of a continuity of supply beyond the Plan period (subject to review every 5 years). The GBR has sought to provide a consistent methodology to assess potential development sites in order to justify the exceptional circumstances for their release on a site-specific basis.

Site 4EA:

This is a relatively small site (2.16 ha), triangular in shape and bounded by a hotel to the south, the M6 to the east and the A599, Penny Lane to the north west. It is self-contained. It forms part of parcel GBP_032 of the GBR. This parcel also includes land to the north of the A559 Penny Lane: Site 3EA, proposed to be removed from the plan as an allocation because it has been developed (SHBC005, Matter 4 section). Circumstances have changed since the GBR was undertaken as Site 4EA has development adjacent two boundaries, the third being the Motorway. Consequently, whilst the GBR concludes the site should be removed from the Green Belt and allocated for development, the change in circumstances arising from the development of Site 3EA make the case to release Site 4EA more compelling. The exceptional circumstances justifying the removal of this site from the Green Belt are at a strategic level, a need to meet the requirement for employment development over the plan period that requires Green Belt sites to be released, and on a site-specific basis, the site is now enclosed and has a limited role in maintaining the openness of the

Green Belt or in terms of its purposes. Therefore, exceptional circumstances are demonstrated to justify the release of this site.

Sites 5EA and 6EA:

Within the GBR, Sites 5EA and 6EA comprise part of parcel GBP_31⁶. Stage 1 of the assessment within the GBR concluded that these parcels made only a moderate contribution to the purposes of the Green Belt⁷.

The overall conclusions of the assessments for these parcels found there are no significant constraints. The removal of these areas from the Green Belt would provide a stronger and more robust Green Belt boundary in this location that would also form a natural extension to Haydock Industrial Estate to the west of the M6 and contained by the triangle of existing roads. The conclusion indicates that the allocation of the sites for employment use is necessary to meet the needs of the Borough in this Plan period. The Sustainability Appraisal⁸ (SA) (SD005), concluded that the sub-parcel is located within 1km of an area that falls within the 20% most deprived population in the UK, and development here for employment use would therefore help to reduce poverty and social exclusion⁹ subject to public transport being made available and employment/training schemes.

Stage 3 of the assessment sets out a ranking of sites. Parcels GBP_31b and GBP_31c which are Sites 6EA and 5EA respectively, are two of the four sites with the highest ranking indicating they are the most appropriate to release from the Green Belt to meet the needs for employment land.

Site 2ES:

Within the GBR, Site 2ES forms part of Parcel GBP_033: “land to the East of M6 Junction 23, Haydock”¹⁰.

The assessment within the GBR takes account of the size of the parcel, proximity to the ‘large built-up area’, and degree to which it is contained by the edge of the existing urban area and/or other strong physical features¹¹. The assessment of finds the parcel makes a “medium” contribution to Green Belt Purpose 1; checking urban sprawl:

The GBR states that the parcel plays an important role in checking the outward expansion of the large built-up areas of Haydock and Ashton-in-Makerfield into the countryside; that the land makes a “high” contribution to preventing the merging of settlements; and that whilst the parcel has a role in protecting the countryside from encroachment, the contribution of the land to this Green Belt purpose was considered to be “low”.

The conclusion of the Stage 1 assessment within the GBR states that Parcel GBP_033 continues to make a strong contribution to the purposes of Green Belt land and given the high overall parcel scoring, ordinarily the recommendation would be for this parcel not to be carried forward to the Stage 2 assessment. However, it refers to a need to provide sufficient

⁶ Site 5EA is parcel GBP_31_C and Site 6EA is parcel GBP_31_B

⁷ SD020 page 253

⁸ Note that the Green Belt Review refers to the 2018 SA. This is a draft of the 2019 published SA

⁹ SD020, Table 5.2, pages 44-46

¹⁰ The assessment of GBP_033 is set out on pages 257 to 259 of SD020

¹¹ SD020, paragraph 2.19

land to meet local employment land needs and that land will need to be removed land from the Green Belt for this purpose. So, whilst it is acknowledged that there could be a high impact on the Green Belt, given the level of importance of meeting employment land needs, coupled with the potential of the parcel to meet the size and locational requirements of the market, there were exceptional circumstances to justify carrying the parcel forward to the Stage 2 assessment.

The assessment indicates that given the strong contribution the site makes to the purposes of the Green Belt, the land would not ordinarily be considered as an option for development.

The parcel in which the site is located was identified in the GBR at Stage 1B as making a 'High' contribution to the Green Belt but was not discounted at that stage to enable its potential to help meet the long-term needs for logistics development within the Borough to be considered further.

The Stage 3 assessment within the GBR ranked the parcels taking account of the assessment of the parcel against Green Belt purposes (Stage 1B), and their development potential (Stage 2B). Parcel GBP_033 (Site 2ES), has an overall score of 3¹². There are seven parcels with a better overall score, indicating that those sites ought to have priority when considering options for development.

The Council took the view that the Haydock Point planning application, based on the details of the scheme, caused substantial harm to the purposes of the Green Belt and other harm and that the test of very special circumstance to justify the grant of planning permission was not passed. The other harm included landscape impact of the appeal proposal as expressed in the evidence of Mrs Xanthe Quayle¹³, the conclusions of the Landscape Character Assessment (2006)¹⁴ and as expressed in the closing submissions of the Council to the inquiry¹⁵.

The GBR only supports the removal of the land from the Green Belt because of the need to make provision for employment development beyond the Plan period. This will be considered further in a future review of the Plan. It is on this basis that exceptional circumstances to justify the removal of this site from the Green Belt are demonstrated.

Site 2HA

Site 2HA generally reflects parcel GBP_060 in the GBR 2018. The Stage 1B assessment found this parcel to score "low" in terms of its contribution to the significance of the overall function of the Green Belt. This is due to the presence of strong permanent boundaries, and the existence of residential development on three sides, resulting in a lack of a sense of

¹² See Table 5.1, page 42 of SD020.

¹³ See particularly Section 7 of the evidence of Mrs Xanthe Quayle: Parkside/Haydock Point Core Document List CD 26.30 <https://www.sthelens.gov.uk/planning-building-control/parkside-core-list-of-documents/>

¹⁴ Omega West Core Document List CD 4.134 [Microsoft Word - STH_LCA_Final LCA Report_18-01-2006.doc \(omegawestdocuments.com\)](Microsoft Word - STH_LCA_Final LCA Report_18-01-2006.doc (omegawestdocuments.com))

¹⁵ See para. 74 to 85 of the closing submissions of Giles Cannock QC on behalf of the Council: Parkside/Haydock Point Core Document List ID 29.24 <https://www.sthelens.gov.uk/planning-building-control/parkside-core-list-of-documents/>

openness or countryside character. The Stage 2B assessment found the parcel to have good development potential, resulting in an overall assessment score of 6 for the parcel.

The commentary in Table 5.2 summarises the above findings in relation to the contribution to the Green Belt and finds it is in a sustainable location with good access to key services and jobs. It is acknowledged that a small proportion of the parcel is in flood zone 2, but this can be mitigated through site design and provision of mitigation measures in the wider area (in accordance with the Sankey Catchment Management Plan),

Further, historic mineshafts are recorded within the parcel, but there is no evidence that these would prevent a suitable development. A noise buffer would also need to be provided to mitigate for the noise impacts from the A580. Suitable access could be provided. The parcel also comprises Grade 3 agricultural land, but for the reasons referred to in response to question 14 above, this is not sufficient to discount consideration of the parcel for development.

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

Para. 1.18 of the GBR explains that the need for employment uses over the Plan period cannot be met on non-Green Belt sites. No neighbouring district has been identified that can demonstrably help meet the need. The consequence is that land has to be found from sites in the St Helens Green Belt outside the urban areas of the Borough in sustainable locations in accordance with the spatial strategy and the need to co-locate employment with infrastructure and areas of deprivation (where possible).

Policy LPA02: Spatial Strategy, paragraph 4 indicates that land is removed from the Green Belt in order to enable the needs for housing and employment development to be met in full over the Plan period in the most sustainable locations. Other land is removed from the Green Belt and safeguarded to allow for longer term housing and employment needs to be met after the Plan period to ensure a continuity of supply. Paras. 4.6.4 to 4.6.6 of the Plan explain that there is an insufficient stock of employment land; that the Borough has an opportunity because of its strategic location; and that inward investment will create jobs, increase the rate of employment, and reduce out-commuting. Paras. 4.6.8 to 4.6.11 refer to the GBR, the requirement to release land from the Green Belt and that land to be removed from the Green Belt has been selected on the basis of their scope to be developed whilst minimising harm to the overall function of the Green Belt, and their suitability for development in other respects. The criteria used have included their physical suitability for development, accessibility by sustainable transport modes to services and facilities, levels of existing or potential future infrastructure provision, their economic viability for development, and the impact that their development would have on the environment.

It is also worth clarifying that these sites are all located in and around Haydock, which Policy LPA02, section 1, classifies as a "Key Settlement". The policy explains that the sustainable regeneration and growth of St Helens Borough will be focussed (as far as practicable, having regard to the availability of suitable sites) on the Key Settlements. Further information on the Key Settlements is provided in paragraph 4.6.3.

The LPA therefore consider that the exceptional circumstances have been adequately articulated in the Plan. However, it is acknowledged that there is potentially scope to provide more articulation on an individual site basis using the reasons set out in response to question 20 above. This could be added to the reasoned justification to Policies LPA05 and LPA06, as a main modification, if it is considered necessary for soundness.

Sites 4EA, 5EA and 6EA

The exceptional circumstances to release these sites is set out generally by Policy LPA02, paras, 4.6.4 to 4.6.11 of the Plan and by para. 4.12.13 of the Plan. The GBR concludes that Site 4EA should be removed from the Green Belt and allocated. The change in circumstances make the case more compelling. The GBR also provides the assessment to show why Sites 5EA and 6EA are selected having regard to their role and function in relation to the purposes of the Green Belt on a comparative basis with other potential sites.

Site 2ES

There will continue to be a need for employment land beyond the Plan period. A review of the plan will determine the future employment land requirement for the period beyond. Given the requirement for a review every 5 years it is highly likely that land presently in the Green Belt will be required to meet that need.

Site 2ES, is in an attractive location for a logistics development in market/commercial terms. There will be a need to ensure a continuity of the supply of well-located sites suitable for employment development beyond the plan period, in order to preserve the long-term permanence of the Green Belt boundary. Having regard to NPPF para.136 and the requirement to ensure permanence in Green Belt boundaries for the long term, the proposed designation of Site 2ES as safeguarded land is necessary and justified to ensure development needs can be met beyond the plan period. There is not, however, a requirement or justification for the site to be allocated.

2HA

The exceptional circumstances for this site are set out in Policy LPA02 as explained above, with the detailed supporting information set out in the GBR, including the high level of visual containment of the site and strong boundaries, as well as its sustainable location and accessibility to key services and jobs.

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

No, this is not necessary. The Plan requires a minimum of 219.2ha of land for employment development between 2018 and 2035 (see policy LPA04 as amended by proposed modifications AM015 and AM020 in SD003). The Council has identified sufficient land to deliver 234.08ha of employment land to 2035 (when discounting site 1ES which is to meet the needs of Warrington Borough Council). Site 1ES is not required to meet the residual employment land requirement of 219.2ha to 2035, nor has it been identified to meet needs

arising in Warrington. The need for employment land in St Helens can be met over the plan period to 2035 through the existing proposed allocations.

Even if the Plan period is extended to 2037, there are still sufficient land provided for in the Plan to meet identified needs, without needing to allocate site 2ES also (as set out in SHBC001 and updated in the response to question 4 in the Council's Matter 2 hearing statement (M2.01)).

The site is therefore proposed to be safeguarded to meet longer term development needs "well beyond" 2035, and there is no justification to change it to a site allocation.

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

The scale and configuration of the proposed employment allocations 4EA, 5EA and 6EA is justified by the evidence of the need for employment land¹⁶ and the need to respond to the opportunities for inward investment, most particularly by the logistics sector having regard to NPPF paragraphs 82 and PPG guidance on meeting economic need¹⁷. To be fit for purpose, the allocations and safeguarded land must be of a scale to accommodate development for the logistics sector. This is also relevant to the configuration of the allocations. The Green Belt Assessment has taken account of development potential¹⁸. The configuration and scale of the allocations and safeguarded land is justified taking into account development needs and the Green Belt assessments.

With respect to site 2HA, the configuration and scale set out is justified as it reflects the findings of Green Belt Review, utilising the presence of the strong site boundaries and the finding that this site makes only a low contribution to the purposes of the Green Belt. In addition, there are no constraints on site of such a scale and significance that would justify a different site configuration. In terms of scale, this is justified in the context of there being a need to release some sites from the Green Belt to meet identified needs over the Plan period (and beyond) due to a lack of sufficient non-Green Belt sites (Policy LPA02 and associated reasoned justification).

¹⁶ See the Employment Background Paper (SD022) and the Council's response to Matter 2: Employment Needs and Requirements

¹⁷ Specifically, para. 031 Reference ID: 2a-031-20190722

¹⁸ Stage 2B of the Assessment.

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

Site 4EA

Site 4EA is now, for practical purposes, corralled by development. Adverse impacts are likely to be very limited and they would not outweigh the benefits.

Sites 5EA and Site 6EA

Sites 5EA and 6EA are adjacent to Site 2EA (Florida Farm North), which has been developed. The issues arising for sites 5EA and 6EA will be similar to those arising in the consideration of the application for Site 2EA. Whist the particulars of a planning application will determine whether any harm outweighs the benefits, there are no specific issues that raise concern about the merits of development on these sites.

Site 2ES

The Council has resolved that it would have refused planning application ref. P/2017/0254/OUP (and now before the Secretary of State) on the grounds of landscape and visual impact and conflict with the Green Belt policy test. This application site is a substantial part of Site 2ES¹⁹.

This is a sensitive site in terms of landscape and visual impact. The Council resolved that it would have refused planning permission for the submitted scheme, on the basis of landscape and visual harm to the character and appearance of the area that outweighed the economic benefits. This harm also weighed against the application as “other harm” in the Green Belt assessment consistent with NPPF para.144. However, this is not to say that a different (smaller), scheme would also be found unacceptable in terms of landscape and visual impact. This matter will be resolved by the Secretary of State.

However, as part of the review of the next Plan, it may be that a different (smaller) scheme could be justified on the basis of the need for employment land well beyond the Plan period.

Site 2HA

Whilst the Green Belt Review (Table 5.2) refers to the SA finding a potential negative impact with regard to the site’s landscape sensitivity, the completion of site 2EA to the north of the A580 should be noted. This means that proposed allocation 2HA is now mostly surrounded by built development, with the exception of land to the north west of the site, however this is separated from site 2HA by the A580 (East Lancs Road). Therefore, this potential harm is considered limited.

The other adverse impacts identified through the Green Belt Review are considered capable of satisfactory mitigation through the comprehensive masterplanning of the site, which is required in Policy LPA05.1, section 2 as this site is identified as a “Strategic Housing Site”.

¹⁹ A small part of the application falls outwith Site 2ES

Therefore, it is not considered that the adverse impacts outweigh the benefits of development on this site.

25. Are the requirements for Sites 4EA, 5EA, 6EA, 2HA and 2ES within Policies LPA04.1 and LPA05.1 and Appendices 5 and 7 (Site Profiles) positively prepared and effective?

Sites 4EA, 5EA and 6EA

Please see the proposed modifications to the Site Profiles for these sites in Annex 1 of the Draft Main Modifications Schedule (SHBC010).

The requirements for Sites 4EA, 5EA and 6EA are positively prepared because they highlight matters that will necessarily be considerations in the determination of any planning application in order to generally: (i) secure a satisfactory form of development (LAP4.1.2); (ii) ensure that development has a positive impact on the regeneration of the Borough through targeting job creation and training for local people; and (iii) to ensure the development is accessible in the interests of providing a choice of transport options, and helping people living in areas of multiple deprivation access job opportunities. Specifically, in respect of sites 5Ea and 6EA, to ensure a coordinated development.

The requirements are effective as they set conditions to guide development in order to meet the Borough's needs and optimise the contribution to regeneration.

Site 2ES

Please see MM005 and the updated Site Profile at Annex 2 of the Draft Main Modifications Schedule (SHBC010).

The issue of landscape and visual impact is a matter raised in the Council's decision that it would have refused planning application ref. P/2017/0254/OUP. Therefore, the Council considers it may also be prudent to modify the requirements in the site profile further regarding the need for any potential future development on this site (following a review of the Local Plan) to pay particular attention to the landscape and visual impact sensitivities of the site. This would reflect the findings of the GBR (Table 5.2) that states substantial landscape buffers would be required to mitigate the visual effects of any employment development.

Subject to the recommendation above, the requirements are positively prepared and effective because they identify constraints to be addressed to ensure a satisfactory form of development and they will ensure that the sustainability of the site is optimised, if there is a need for the site well beyond this Plan period.

Site 2HA

Please see updated site profile in Appendix 1, SHBC010.

The Appendix 5 site 2HA profile (as updated in SHBC010) requirements are site specific and based on the evidence. They set out what is necessary to make development on this site acceptable. Therefore, they are positively prepared because they highlight matters that will

be considered in the determination of any future planning application to ensure a satisfactory form of development and meet the wider aims and objectives of the Plan.

They are effective because they provide a clear guide on what the development needs to encompass to ensure it is deliverable and therefore contribute to meeting the identified housing needs of the Borough.

26. How should the requirements for Sites 5EA and 6EA be modified to provide clarity on access arrangements?

Please see proposed main modifications MM057 and MM058 and the associated updated Site Profiles for these two sites in Annex 1 of the Draft Main Modifications Schedule (SHBC010).

27. Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Tables 4.1, 4.5 and 4.8 justified and effective?

Table 4.1 sets out the employment allocations, identifying the indicative site areas and that the appropriate use is in the case of these sites, B2 and B8 uses. The indicative site areas and proposed uses are positively prepared because they represent the optimum developable area, and the uses are those for which a requirement has been identified. They are effective because there is a high level of confidence that the sites will be deliverable over the Plan period to meet the identified requirement and contribute to the regeneration of the Borough. The same applies to Table 4.8 in relation to the proposed safeguarding of site 2ES.

The net developable area, minimum density and indicative site capacity for site 2HA included within table 4.5 is justified and effective.

The Council has applied a net developable area (NDA) of 75% for site 2HA, reflecting a standardised approach that has been used in both the SHLAA (HOU002) and the Economic Viability Assessment (VIA001). Similarly, the minimum densities set out within Table 4.5 are derived from the SHLAA. The rationale for the NDA and minimum densities in the SHLAA are set out in paragraphs 3.44-3.48 (HOU002). Where there are considered to be justifications for deviating from the standard NDA or density to generate a more realistic site capacity (for example the presence of significant onsite constraints), this has been done. However, there is no basis on which to do that in relation to site 2HA.

28. Will infrastructure to support the allocations, including improvements to Junction 23 (M6), be delivered at the right time and in the right place?

Improvements to Junction 23 are addressed in the emerging Statement of Common Ground between the Council and Highways England, which will be submitted to the Examination. This sets out the commitment between the Council and Highways England to undertake further work to develop an agreed solution to deliver improvements to the operation of this junction in the Plan period, which will support the growth proposed in the Plan, and at the right time.

The site requirements for Sites 4EA, 5EA and 6EA refer to the need to take account of the impact of development on Junction 22. It does not preclude development coming forward on an incremental basis in advance of a comprehensive scheme for the improvement of Junction 22 so long as each scheme can be demonstrated to be acceptable on its own merits (consistent with national and local policy tests).

The delivery trajectory set out in the Employment Land Background paper (SD022) factors in the potential infrastructure upgrade at Junction 23. In respect of Site 4EA, the site is expected to be developed and operational before the end of the Plan period. Site 5EA is expected to commence development in 2023 and completed and fully operational by 2030. Site 6EA is assumed to commence development after Site 5EA. An anticipated start date of 2028 allows for improvements to Junction 23. At 20.58 ha this is the larger than Site 4EA and 5EA by a significant margin.

With respect to site 2HA, the updated housing trajectory (Appendix 1, SHBC007) shows the first completions on this site are not expected until 2027/28 (22 dwellings in total that year), and then 45 dwellings per year thereafter. This allows time for an agreed solution for Junction 23 to be developed and delivered, enabling the development of 2HA to come forward in alignment with a Junction 23 improvement scheme. It should be noted that the anticipated rate of delivery of the site (at 45 dwellings per annum) does not mean that significant growth will occur in advance of the delivery of such a scheme.

Therefore, there is confidence that the necessary infrastructure to deliver these sites (including improvements at Junction 23) will be delivered at the right time, and in the right place. As referenced at the beginning of this response in relation to the emerging Statement of Common Ground, work will continue between all the relevant parties to ensure this is the case.

29. Are there any barriers to Site 2HA coming forward as anticipated by the housing trajectory?

Please see the response to question 28 above in relation to site 2HA's relationship with improvements to Junction 23 of the M6. This is not considered to pose a barrier to development of this site as explained.

There are not considered to be any barriers to prevent site 2HA from coming forward as anticipated in the updated housing trajectory (SHBC007). The lead in time provided for in

the trajectory allows sufficient time for a comprehensive masterplan to be developed for this site, in accordance with Policy LPA05.1.

Issue 4: Other Green Belt Boundaries

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

Yes, the Green Belt boundaries elsewhere in this area of the Borough reflect the evidence gathered through the Green Belt Review, and are therefore justified.