

<u>KEY DECISION</u> Yes
<u>DATE FIRST PUBLISHED</u> 13 November 2018

ST HELENS LOCAL PLAN

WARDS AFFECTED

All

EXEMPT/CONFIDENTIAL ITEM

NO

1. PROPOSED DECISION

1.1 It is recommended that Cabinet make the following recommendations to Council:

- (1) approve the 'submission draft' version of the St Helens Borough Local Plan: 2020-2035 (the 'Plan' - see appendices 1 to 3 of this report);
- (2) agree that the Plan be published with its supporting documents (referred to in paragraphs 3.1 to 3.12 of this report) in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended);
- (3) agree that the Plan and all relevant supporting documents be submitted, after the end of the publication period, to the Government in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended);
- (4) authorise the Strategic Director (Place Services) to make any necessary minor editorial changes to the Plan and supporting documents before they are published and/or submitted in accordance with recommendations (2) and (3) above, with any substantive changes to the Plan to be agreed in consultation with the Cabinet Member - Balanced Development, Housing and Economic Opportunity; and
- (5) resolve to bring the St Helens Local Development Scheme 2018 (see paragraphs 3.11 and 3.12 of this report) into effect from 1 January 2019.

2. RATIONALE FOR THE DECISION

Context

- 2.1 National planning policy stresses the role of Local Plans in delivering a vision for the sustainable development and growth of local areas. Local Plans, due to their role as the statutory ‘development plan’ also play a crucial role in the determination of planning applications and in shaping the wider corporate priorities of the Council.
- 2.2 The existing ‘development plan’ for the Borough of St Helens consists of:
- the ‘saved’ policies of the St Helens Unitary Development Plan (‘UDP’) (1998);
 - the St Helens Core Strategy (2012);
 - the Bold Forest Park Area Action Plan (2017); and
 - the Merseyside and Halton Joint Waste Local Plan (2013).
- 2.3 The Council’s Cabinet resolved (at its meeting on 18 November 2015) to start the process of preparing a new Local Plan which would entirely replace the ‘saved’ UDP policies and the Core Strategy. The rationale for this decision included that these documents no longer fully reflected the changing requirements of national policy or the up-to-date evidence of needs for housing or employment development, for example the needs of the growing logistics sector.

The process of preparing the new St Helens Borough Local Plan

- 2.4 The steps which must be undertaken when preparing a new Local Plan are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 2.5 The Council carried out an initial consultation on the scope of the emerging new Local Plan in early 2016. It then, between November 2016 and January 2017, consulted on the St Helens Local Plan Preferred Options document (see paragraphs 2.14 to 2.22 below for further details).
- 2.6 The anticipated next steps (subject to the necessary approvals being obtained for this report and with indicative future timescales) are set out below:
1. publication of the Plan and all relevant supporting documents (Regulation 19) (January 2019);
 2. period of 8 weeks within which individuals and organisations may submit any representations on the Plan and its supporting documents (January 2019 until early March 2019) (*NB whilst the minimum statutory length of this period is 6 weeks it is recommended that an extended period of 8 weeks is given to ensure all parties have a good opportunity to input into the process*);
 3. submission of the Plan and its supporting documents to the Secretary of State (Regulation 22) (summer 2019);

4. independent examination by a Government Inspector (this is expected to start in summer 2019 when the Plan is submitted under step 3 and is likely to include extensive public hearings);
 5. publication of the Inspectors Report (2020); and
 6. adoption of the Plan by the Council (2020).
- 2.7 The steps and timescales set out above are on the basis that the process will run as currently expected. The detail of the steps to be undertaken may also vary. For example, if modifications are proposed to the Plan after it has been published, such modifications would themselves need to be subject to public consultation. This would normally occur during the examination process i.e. during step 4 above.

National legal and policy requirements

- 2.8 The new Local Plan must, before being adopted by the Council, be found to be legally compliant and 'sound' by the Government Inspector following its independent examination.
- 2.9 The Inspector will assess the Plan against the 'soundness' tests and related requirements set out in the National Planning Policy Framework (NPPF). The NPPF was first introduced in 2012 and substantially revised in July 2018. It requires the Plan to be:
- positively prepared (with regard to evidenced development needs);
 - justified;
 - effective; and
 - consistent with national policy.
- 2.10 National policy (for example in the Housing White Paper 2017) also urges that local plans are prepared promptly. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 require the Council to review its adopted local plans no more than 5 years following their adoption.

The 'duty to cooperate' with other public bodies

- 2.11 Section 33A of the Planning and Compulsory Purchase Act 2004 requires the Council to co-operate with other public bodies in relation to strategic matters addressed in the Local Plan, such as housing, employment and infrastructure needs. 'Other public bodies' in this context include: the Liverpool City Region Combined Authority; neighbouring local authorities; and various other statutory bodies. Council officers have undertaken extensive work in relation to this duty building upon existing well-established joint working arrangements. This work has included for example the commissioning of joint evidence concerning housing and employment needs and land supply across the Liverpool City Region (see paragraphs 2.30 to 2.39 of this report).

- 2.12 The revisions to the NPPF introduced in July 2018, indicate that the Council should publish at least one Statement of Common Ground (SOCG), agreed with relevant neighbouring authorities and/or other public bodies before publishing its Local Plan. The role of SOCGs is to document evidence of cross-boundary matters being addressed in the Plan and current progress in considering these. Officers are currently working to finalise an SOCG between St Helens and Warrington, reflecting for example the strong housing market inter-action between the two authorities and site specific matters (e.g. Parkside and Omega extension). An SOCG is also being prepared for the Liverpool City Region (including West Lancashire).
- 2.13 Whilst these SOCG documents have yet to be finalised and formally approved by the relevant neighbouring authorities and other bodies, it is considered reasonable (given the strong evidence of joint working that can be demonstrated and that the specific requirements concerning SOCGs are still fairly new) to maintain progress on the Plan pending their finalisation.

Consultation on the Preferred Options (November 2016/January 2017)

- 2.14 The St Helens Local Plan Preferred Options document 2016 set out a draft strategy including a vision, 7 strategic aims (supported by 14 strategic objectives) and 40 draft policies. Its approach included (amongst other things):
- delivery of 10,830 dwellings from 1 April 2014 until 31 March 2033 at an average of 570 dwelling completions per year;
 - delivery of 306.9 hectares of employment land up to 2038;
 - support for the regeneration of St Helens and Earlestown town centres and other smaller centres in the Borough; and
 - a wide range of other policies covering (for example): the spatial strategy; transport; infrastructure funding; green infrastructure; housing mix (including affordable housing); biodiversity; and various other matters.
- 2.15 The Preferred Options document aimed to continue the Council's longstanding commitment to securing regeneration of sites (including 'brownfield' sites) in existing urban areas. However, to fully meet housing and employment development needs it also proposed to remove 25 sites from the Green Belt to meet development needs before 2033 (16 of which were for housing; 9 for employment) and a further 26 sites to be removed from the Green Belt but 'safeguarded' to meet potential longer term needs (mostly for housing) after 2033.
- 2.16 Notwithstanding these proposals, most of the Borough's land area (about 56%) was proposed to remain as Green Belt. About 65% of the Borough currently has this designation (the highest proportion of any district on Merseyside).
- 2.17 An extensive consultation exercise took place on the Preferred Options document (together with supporting evidence documents) over 8 weeks between 5 December 2016 and 30 January 2017. A total of 5,695 responses were received, of which:

- 5,565 responses were predominantly from the general public; and.
 - 130 responses were received from: statutory bodies; neighbouring authorities; parish councils; landowners and planning agents/site promoters; and from issue-specific stakeholder groups.
- 2.18 In considering the consultation responses it is important to stress that the Council must consider the issues raised in the context of relevant evidence and the legal and national policy tests referred to earlier.
- 2.19 The responses to the Preferred Options consultation raised a large variety of points. The St Helens Local Plan Preferred Options: Report of Consultation (attached as appendix 4 to this report) sets out:
- which bodies and persons were invited to make representations;
 - how those bodies and persons were invited to make such representations;
 - a summary of the main issues raised by those representations; and
 - how those main issues have been addressed in the Plan.
- 2.20 The Report of Consultation addresses the points raised by respondents according to which part of the Preferred Options document they refer to. The points raised fall under the following broad categories:
- broad strategic issues including: the general principle of releasing Green Belt to meet development needs; housing; the economy and employment; physical infrastructure; social infrastructure; the built and natural environment; and social and health issues;
 - Area specific issues relating to: Rainford and Crank; Newton-le-Willows; Eccleston; Billinge and Seneley Green (including Garswood); Haydock; Rainhill; Windle; Bold (including Sutton Manor and Clock Face); Moss Bank; Thatto Heath; West Park; Blackbrook; Sutton; Parr; St. Helens Town Centre; and Earlestown;
 - Issues concerning individual Plan policies; and
 - the quality of the Local Plan consultation process.
- 2.21 Members are advised to view the Report of Consultation for details of the consultation responses. Of the 5,565 responses from the general public, 4,910 respondents gave an address in St Helens Borough. A substantial proportion of the responses related to the issue of Green Belt release. The number of respondents from each part of the Borough (according to the addresses given on the responses, which do not necessarily correspond with ward boundaries) is set out in Appendix 5 to this report.
- 2.22 To complete the 'submission draft' version of the Plan (see paragraphs 2.23 to 2.78 below), officers have carefully weighed the issues raised in response to the consultation (summarised in the Report of Consultation) alongside updated evidence and the changing requirements of Government policy, including the new NPPF published in July 2018.

The 'submission draft' version of the Plan

- 2.23 Approval is now sought for the 'submission draft' version of the Local Plan to be published under the Regulations. The Plan (see appendices 1 to 3 of this report) comprises a written statement and Policies Map (showing proposed site allocations for development and other land use designations). A wide range of supporting documents have also been produced which provide evidence (see section 3 of this report). The following paragraphs summarise key elements of the Plan and how these respond to key issues, including those raised in the Preferred Options consultation.

Plan period

- 2.24 The revised NPPF (July 2018) requires the Plan to look ahead for at least 15 years from its adoption. For this reason, and as the Plan is now expected to be adopted in 2020, the Plan period extends to 2035 (and not 2033 as previously proposed).

Vision and objectives

- 2.25 Chapters 1 and 2 set out the role and structure of the Local Plan and key issues, opportunities and challenges facing the Borough. Chapter 3 sets out a vision which describes the type of place that St Helens and its settlements should be at the end of the Plan period (in 2035). Compared to the version consulted upon at Preferred Options stage the vision has been revised to stress the need for a balanced and inclusive approach to regeneration and growth. It also places further emphasis on protecting and enhancing the built heritage and environment of the Borough.

- 2.26 Chapter 3 also sets out 7 strategic aims and 17 objectives. The aims are as follows:

- Supporting Regeneration and Balanced Growth
- Ensuring Quality Development
- Promoting Sustainable Transport
- Meeting Housing Needs
- Ensuring a Strong and Sustainable Economy
- Safeguarding and Enhancing Quality of Life
- Meeting Resource and Infrastructure Needs.

Spatial strategy and core development principles

- 2.27 Policy LPA01 of the draft Plan (in line with advice in the NPPF) sets out how the Council will work proactively to secure development that improves the economic, social and environmental conditions in the Borough.
- 2.28 Policy LPA02 sets out the spatial strategy. This includes (in summary):
- New development to be delivered in sufficient quantities to meet needs and to be distributed in a range of locations across the Borough (appropriate to

its scale and nature) and which will provide good levels of accessibility between homes, jobs and key services via sustainable modes of transport;

- Urban regeneration and the re-use of previously developed (brownfield) land in Key Settlements will remain priorities;
- The proportion of housing and employment development needs up to 2035 which cannot be met by developing land in urban areas is to be met by removing selected sites from the Green Belt;
- To comply with national Green Belt policy when the Green Belt is being reviewed, some other sites are to be removed from the Green Belt and 'safeguarded' to meet potential development needs after 2035; and
- Various other provisions linking to other aspects of the Plan.

2.29 Policy LPA03 'Core Principles' requires new development to (in summary): meet the challenges of population growth; improve economic wellbeing; contribute to inclusive communities; contribute to a high quality environment; minimise the need to travel and maximise use of sustainable transport; and minimise St Helens carbon footprint.

Employment development needs and land supply

2.30 Policy LPA04 'A strong and sustainable economy' identifies that at least 215.4 hectares of land should be developed for employment uses in St Helens between 2018 and 2035. This is based on evidence including the St Helens Employment Land Needs Assessment update 2018 and development completions data. The proposed approach will also help meet employment land needs across the City Region and West Lancashire as a whole, as identified in the draft Liverpool City Region Strategic Housing and Employment Land Assessment (SHELMA) 2017.

2.31 The Plan will address an identified shortage of large sites, suitable for the needs of the growing logistics sector and the clear evidence of market demand in the Borough e.g. related to the opportunity at Parkside and recent planning permissions at Florida Farm North and Penny Lane (Haydock). It also takes into account the need for flexibility and choice in site supply and the strategic location of St Helens in relation to the motorway and rail networks.

2.32 To meet the needs identified above the draft Plan (Policy LPA04) proposes to allocate 11 sites for employment development before 2035. These are listed below:

- Site 1EA - Omega South Western Extension;
- Sites 2EA, 5EA and 6EA - 3 sites to the west of Haydock Industrial estate (the largest of which is Florida Farm North);
- Sites 3EA and 4EA - 2 sites to the north and south of Penny Lane (east of Haydock Industrial Estate);
- Sites 7EA and 8EA - 2 sites at Parkside (East and West of the M6);
- Site 9EA - Sandwash Close (Rainford);
- Site 10EA - Land at Lea Green Farm West, Thatto Heath; and
- Site 11EA - Gerards Park (College Street, St Helens).

- 2.33 The largest of the proposed site allocations for employment development are at Parkside West and Parkside East. These sites are capable of providing transformational employment opportunities that will make a major contribution to the economic development of St. Helens, the Liverpool City Region and beyond. Parkside West is identified as being suitable for 'general industrial' or 'warehousing and distribution' uses. Parkside East would be subject to its own policy (LPA10). This establishes firstly that the site is suitable for use as a Strategic Rail Freight Interchange or for other rail enabled employment uses. It also indicates that (to ensure a suitably flexible approach to the delivery of the site) part of it could be developed for non-rail enabled employment uses, provided that at least 60 hectares of the site is reserved for the provision of infrastructure to link to the rail system. This approach is justified by the unique combination of locational advantages of this site, including its ready accessibility to both the West Coast and east-west ('Chat Moss') rail lines and to the motorway system.
- 2.34 Of the sites allocated for employment (see paragraph 2.32), all but the last 3 would be released from current designation as Green Belt. This is justified because of the limited land supply (particularly for large employment sites with good access to transport routes) which exists in urban areas in St Helens and in nearby districts and the opportunity provided at Parkside.
- 2.35 The land at Omega South Western Extension (site 1EA) has been identified, following discussions with Warrington Council officers carried out under the 'duty to cooperate', as being allocated to help meet the employment land needs of Warrington (rather than St Helens). This is due to its location immediately next to, and with its access to be provided through, the existing Omega employment area in Warrington.
- 2.36 A key change compared to the previous Preferred Options consultation proposals relates to land north east of junction 23 of the M6. Whereas the Preferred Options document proposed that this site be allocated for employment development before 2033, it is now proposed that it be removed from the Green Belt but safeguarded to meet potential employment needs after 2035. This change of approach will have the benefit of avoiding narrowing down the options for the development of a scheme to improve junction 23 of the M6. The significant improvement of this junction is identified as a key infrastructure priority within the Plan, which would bring substantial benefits to the Borough and the wider transport network.
- 2.37 The need for this new approach is also evidenced by the St Helens Council Transport Impact Assessment 2018. This confirms that junction 23 currently experiences queues and delays during peak periods and that this situation is likely to substantially worsen as the Plan period progresses without effective mitigation being undertaken. It is also not considered essential for the land north east of junction 23 to be developed before 2035 to meet evidenced needs for employment development within that period.
- 2.38 Several of the sites are (due to their size) designated as 'Strategic Employment Sites' by Policy LPA04.1, the development of which will need to meet specified requirements and be informed by a single master plan for each site. The

development of all the sites would also be subject to consideration of infrastructure impacts at the time of any planning application.

2.39 Policy LPA04 sets out other measures to promote employment including (in summary):

- protecting existing sites and premises from proposals for other uses except where (for example) they are no longer suitable for employment uses;
- supporting the re-use and reconfiguration of employment areas and the recycling of land within them for employment use;
- supporting diversification of the rural economy; and
- supporting (subject to specified criteria) the enhancement and expansion of tourism resources and facilities; and encouraging use of local suppliers and training opportunities.

The Objectively Assessed Need (OAN) for new housing

2.40 A central aim of national planning policy is to boost significantly the supply of housing. Local Plans must:

- identify the scale and mix of housing which is likely to be needed over the Plan period;
- identify a sufficient supply and mix of sites to meet needs, taking account of their availability, suitability and likely economic viability for development; and
- ensure that a 5 year 'deliverable' supply (taking account of factors such as viability, landowner intentions and potential slippage whilst necessary infrastructure is provided) can be provided at all times.

2.41 The revised NPPF (July 2018) requires the Plan to be informed by a nationally set standard method for calculating the Objectively Assessed Needs (OAN) for housing. The figure obtained using the method is to be treated as a minimum unless exceptional circumstances can be demonstrated. The method uses (as its starting point) the projected average household growth (as set out in projections published every 2 years by the Office of National Statistics), to which it applies an 'uplift' to account for affordability issues to derive an annual housing need figure for the local authority. This can then be extended to cover the period covered by the Plan

2.42 The 2016 based sub-national household projections published in September 2018 showed a rate of household growth across the country (including in St Helens) which was substantially lower than the rate shown in the previous (2014 based) projections. In response, the Government has issued a consultation document confirming that the 2014 based (and not the 2016 based) projections should be used for the purposes of applying the standard method. Applying the standard method in this way would result in a minimum annual housing need figure for St Helens of 468 new dwellings per annum.

- 2.43 However, a key disadvantage of relying on the figure of 468 new dwellings per annum for the Local Plan is that it makes no allowance for increased housing need that is likely to result from accelerated employment growth associated with the development of employment sites allocated in the Plan. In addition the figure does not make any allowance for the risk that affordability data to be published in spring 2019 would, if it continues the long term trend, see a decline in affordability and therefore an increase in the amount of housing required under the standard method.
- 2.44 For these reasons, the figure of 468 new dwellings per annum is considered to under-estimate housing need.
- 2.45 The St Helens Strategic Housing Market Assessment (SHMA) Update 2018 assessed different scenarios to identify the realistic level of housing which is likely to be required, taking account of the impact that development of the employment sites proposed to be allocated within the Plan would have on the housing market. Having regard to this evidence, Policy LPA05 'Meeting St Helens Housing Needs' identifies a minimum average housing need figure of 486 net dwelling completions per year (between 2016 and 2035). This equates to a total of 9,234 dwellings within this period.
- 2.46 The figure of 486 dwellings per annum is substantially less than the figure of 570 dwellings per annum in the Preferred Options consultation document. This reduction is justified by the change of circumstances which has occurred since 2016, including the introduction of the national standard method, the new NPPF and related planning guidance, and the SHMA Update 2018. Whilst (for reasons stated above) it is not appropriate to rely on the standard method output of 468 dwellings per annum, there is now no robust evidential basis to continue with a figure as high as 570 dwellings per annum.

Housing land supply

- 2.47 In identifying sites, substantial priority has been given to sites within the existing urban areas. However, there remains insufficient capacity within the existing urban areas to meet needs, particularly when the challenging viability of developing some urban sites is taken into account due to factors such as ground conditions. In accordance with the NPPF, the supply also allows for the fact that slippage in delivery of development is likely to occur on some sites. For these reasons several sites – albeit a reduced number compared to those proposed at Preferred Options stage - are proposed to be removed from the Green Belt to meet housing needs.
- 2.48 The sites to be removed from the Green Belt would, it is estimated, be capable of providing 2,056 dwelling completions before 2035. This would represent 22% of the total of 9,234 dwellings needed between 2016 and 2035 (see paragraph 2.46 above). The remainder of the needs during this period would be met from various sources within the existing urban areas (such as completions from 1 April 2016 until 31 March 2018, extant planning permissions as at 1 April 2018 and other sites identified in the St Helens Strategic Housing Land Availability Assessment).

- 2.49 The largest site proposed for removal from the Green Belt to accommodate new housing is at Bold urban extension. This site represents a major growth opportunity, able to accommodate over 2,900 dwellings (with most of these being delivered after 2035). It has the potential to become an attractive new suburb complementing the ‘town in the forest’ principles of the Bold Forest Park Action Plan. Due to the size of the site and number of different land owners involved it is proposed that the Council should lead the preparation of a formal master plan, to be ultimately adopted as a Supplementary Planning Document, to guide its development.
- 2.50 The full list of sites to be allocated for housing development before 2035 is set out below with estimated capacities. In addition to the sites listed, smaller urban sites will continue to form an important part of the supply. It should also be noted that (since the Preferred Options stage) the assumed density of development on some sites has been increased, to provide for a more efficient use of land in line with the revised NPPF (July 2018).

Site name	Potential dwelling completions – before 31.3.2035	Potential dwelling completions – after 31.3.2035
<u>Site allocations from within the current urban area</u>		
Former Penlake Industrial Estate	337	-
Land north of Elton Head Road, Sutton Heath	350	-
Moss Nook Urban Village, Watery Lane, Moss Nook	800	-
Land east of City Road, Cowley Hill	540	276
<u>Site allocations on land removed from the Green Belt</u>		
Land South of Billinge Road, Garswood	216	-
Bold Forest Garden Suburb	480	2,508
Land South of Gartons Lane, Bold	520	49
Land at Florida Farm (south of A580), Slag Lane, Blackbrook	400	122
Former Red Bank Community Home, Winwick Road, Newton-le-Willows	181	-
Land South of Higher Lane and east of Rookery Lane, Rainford	259	-

Sites proposed to be removed from the Green Belt and ‘safeguarded’ to meet development needs after 2035

- 2.51 The NPPF requires that, when local authorities are undertaking a Green Belt Review, they must ensure that areas of safeguarded land are identified between the urban area and the new Green Belt boundary, to meet longer term development needs stretching ‘...well beyond the Plan period’. Safeguarded land is not allocated for development and planning permission for its permanent development should only be granted following a future Local Plan review.
- 2.52 To address these requirements, the Plan safeguards the following sites for potential future employment development after 2035:
- Omega North Western Extension, Bold (29.98 hectares); and
 - Land north east of junction 23 M6, south of Haydock racecourse, Haydock (55.9 hectares).
- 2.53 The following sites would be safeguarded for potential housing development after 2035 (the site capacities are indicative only):
- Land North of Billinge Road, Garswood (ca 283 dwellings)
 - Land between Vista Road and Belvedere Road, Earlestown (ca 178 dwellings)
 - Eccleston Park Golf Club, Rainhill Road, Eccleston (ca 956 dwellings)
 - Land east of Newlands Grange, Newton-le-Willows (ca 256 dwellings)
 - Land west of Winwick Road, Newton-le-Willows (ca 191 dwellings)
 - Land East of Chapel Lane, Sutton Manor (ca 113 dwellings)
 - Land south of Elton Head Road, Thatto Heath (ca 84 dwellings)
 - Land south of A580 between Houghtons Lane and Crantock Grove, Windle (ca 1,027 dwellings).

Summary of changes made to the proposed development requirements and site allocations since the ‘Preferred Options’ stage

- 2.54 Key changes made to the proposed development requirements and site allocations since the Preferred Options consultation can be summarised as follows:
- the annual minimum housing requirement has reduced from 570 to 486 dwellings per annum;
 - the employment site to the north east of the M6 junction 23 has been moved back from being an allocated site (for development before 2035) to be safeguarded for potential development after 2035;
 - there is now a clearer focus on specific growth locations (e.g. the Bold urban extension);
 - the assumed density of development on some housing sites has been increased;
 - the overall amount of Green Belt to be lost has been substantially reduced;
 - the number of sites to be removed from the Green Belt has been substantially reduced (see appendix 6 of this report for site specific details);

- some housing sites have been moved from being allocated for development before 2035 to being safeguarded for potential development after 2035; and
- the Plan proposals have been refined to take account of updated evidence of infrastructure issues.

Transport

- 2.55 Policy LPA07 'Transport and Travel' promotes the use of sustainable forms of transport (such as walking, cycling and public transport) and requires new development to include suitable provision for vehicle charging points. It also identifies the need to improve linkages between areas of high deprivation and areas of employment growth, the need to secure improved motorway capacity and infrastructure (particularly at the M6 Junction 23 and M62 Junction 7) and new rail infrastructure such as a new station at Carr Mill.

Developer contributions and infrastructure

- 2.56 Policy LPA08 'Developer Contributions' confirms that (subject to compliance with relevant legislation) development proposals will be expected to contribute to the provision, enhancement or replacement of infrastructure to meet needs arising from the proposal. In this context, infrastructure can include:
- Physical infrastructure such as roads, railways, sewers and water supplies;
 - Social infrastructure, such as education and health establishments, neighbourhood retail or leisure uses, built sports and recreation facilities, cultural, emergency service and community facilities and institutions;
 - 'Green Infrastructure', such as parks and playing fields; and
 - 'Digital infrastructure', such as telephone and internet facilities.
- 2.57 Policy LPA08 also recognises the need to be realistic when asking developers to fund infrastructure particularly given the challenging levels of viability on some sites. To address this it sets out the following hierarchy to be used in such circumstances:
1. top priority will be given to contributions which are essential for public safety (for example essential highway works or flood risk mitigation);
 2. second priority will be given to contributions to provide affordable housing or to address local infrastructure deficiencies (e.g. in schools or open spaces); and
 3. third priority will be given to other contributions which do not fall into these categories.
- 2.58 The requirements on developers set by Policy LPA08 would (depending on the nature of specific cases) be primarily delivered via agreements entered into under Section 106 of the Planning Act or planning conditions. Both of these mechanisms are subject to limitations. For example, Section 106 obligations must meet the statutory tests of being: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and

reasonably related in scale and kind to the development. Nevertheless, it is likely that in some cases infrastructure provided within the scope of the policy and of the legal limitations would also deliver wider benefits, for example where a new development triggers a need for a new or improved item of infrastructure which would be available for use by the wider community.

Green Infrastructure

- 2.59 Policy LPA09: 'Green Infrastructure' aims to strengthen and enhance the Borough's network of urban and rural green spaces, to encourage their use for sport, recreation, and as 'green lungs', walking and cycling routes.
- 2.60 Policy LPC06 'Biodiversity and Geological Conservation' sets out protection for: supporting habitats for European nature conservation sites in the wider City Region; Sites of Special Scientific Interest; Local Wildlife Sites and Priority Habitats. Reference is made to current work to address cumulative effects of development within the Liverpool City Region (due to recreational pressure) on the European-designated wildlife sites in the Mersey Estuary and coast.
- 2.61 Policy LPC07 'Greenways' requires that greenways will be protected and where possible enhanced. Policy LPC08 'Ecological Network' establishes that the Council will, working where necessary with other organisations, seek to strengthen the role of wildlife corridors and 'stepping stone' habitats. It also supports the role of the Liverpool City Region Nature Improvement Area which includes parts of St Helens such as the Sankey Valley and in the Bold area.
- 2.62 Policy LPC09 'Landscape Protection and Enhancement' requires development as appropriate to conserve, maintain, enhance and/or restore landscape features. Policy LPC10 'Trees and Woodland' sets out measures to increase the tree cover across the Borough and to protect and enhance trees, woodlands and hedgerows. It establishes that where any tree is justifiably lost as a result of new development its replacement will normally be required on at least a 2 for 1 ratio.

Health and wellbeing

- 2.63 Policy LPA11 'Health and Wellbeing' sets out criteria to ensure that new development protects or enhances health and wellbeing. These include for example the provision of safe and attractive green spaces; designing out crime; providing opportunities for physical activity within new development; and controlling the location of hot food takeaways.

Housing mix and affordable housing

- 2.64 Policy LPC01 'Housing Mix' requires new housing to include a range of types, tenures and sizes of homes to meet the needs of different population groups. It requires that at least 20% of new dwellings on greenfield sites (of more than 25 dwellings) should (subject to viability) be designed to the 'accessible and adaptable' standard set out in Building Regulations, and that at least 5% should be 'wheelchair accessible'. These requirements (together with a requirement for 5% of new dwellings on such sites to be bungalows) respond to the needs of the Borough's expanding population of elderly people.

- 2.65 Policy LPC01 also sets out controls over proposals for homes in multiple occupation including the need to maintain an adequate mix of different types of housing in the area, provide adequate car parking and protect the amenity of nearby occupiers.
- 2.66 Policy LPC02 'Affordable Housing Provision' sets targets for the provision of affordable housing within proposals for new open market housing of 11 units or more. In summary:
- at least 30% of new dwellings on greenfield sites in all parts of the Borough apart from those with the lowest viability (the town centre and Parr) must be 'affordable'; and
 - at least 10% of new dwellings on brownfield sites in the areas with highest development viability (Eccleston, Rainford and Rainhill) must be 'affordable' (these areas are therefore the areas where the highest overall proportion of affordable housing will be sought).
- 2.67 These targets are subject to consideration of viability in individual cases. In response to the revised NPPF (July 2018) the policy requires that where affordable housing is required at least 10% of the overall number of homes to be provided on the site should be available for affordable home ownership (as opposed to social or affordable rented units).

Retail and town centres

- 2.68 Policy LPC04 'Retail and Town Centres' identifies a hierarchy of town, district and local centres in the Borough. It also guides proposals for retail, leisure and other main town centre uses towards these centres with a particular focus on St Helens (as the principal town centre) and Earlestown (serving the town of Newton-le-Willows and surrounding areas). In accordance with national policy, proposals for 'town centre' uses outside existing centres must demonstrate that any need cannot be more suitably met within or on the edge of an existing centre and that they would not cause substantial harm to any existing centre.
- 2.69 Policy LPB01 'St Helens Town Centre and Central Spatial Area' encourages new development which will help deliver the Council's town centre strategy. It also identifies the primary shopping area and scope for future retail, leisure and cultural development in the 'area of opportunity' on the southern side of the town centre. In line with national planning guidance, the Policy aims to enable a diverse range of suitable uses within the town centre and immediately surrounding area and also encourages the provision of improved linkages with Ravenhead Retail Park, the Saints Stadium and other key facilities.
- 2.70 Policy LPB02 'Earlestown town centre' promotes Earlestown (within the town of Newton-le-Willows) as the second town centre in the Borough and supports the delivery of a Council-led strategy to guide its future regeneration and development.

Gypsies and Travellers

- 2.71 National planning policy requires the Plan to effectively address the accommodation needs of gypsies and travellers. Policy LPC03 'Gypsies, Travellers and Travelling Show People' therefore allocates 2 sites off Sherdley Road. One of these (with an indicative capacity of 8 pitches) would provide permanent pitches and the other (with an indicative capacity of 3 pitches) would provide for transit (limited length of stay) needs. These sites have been identified for these uses for a substantial period of time and were included in the Preferred Options document.
- 2.72 This Policy also sets out criteria against which to assess any applications for development of gypsy and traveller facilities.

Historic Environment

- 2.73 The Local Plan vision recognises and values the Borough's unique heritage, focused on the glass, rail, and coal mining industries. Policy LPC11 Historic Environment confirms that the Council will promote the conservation and enhancement of heritage assets (such as Listed Buildings and Conservation Areas) and their settings.

Flood risk

- 2.74 Policy LPC12: 'Flood Risk and Water Management' confirms that new development that may cause unacceptable flood risk on the site or elsewhere will not be allowed. The Policy also sets out measures for example to address water quality issues and to help deliver 'slow the flow' initiatives set out in the Sankey Valley Catchment Plan (approved by Cabinet on 20 June 2018).

Renewable and low carbon development

- 2.75 Policy LPC13 'Renewable and Low Carbon Energy Development' sets out criteria against which to assess proposals for low carbon or renewable energy (such as wind farms or solar farms). It encourages new development to use energy efficiently and where feasible incorporate renewable and low carbon energy generation.

Minerals and waste

- 2.76 Policy LPC14 'Minerals' establishes (in accordance with national policy) that the Borough will contribute where practicable to meeting sub-regional needs for mineral production and processing. It also sets out environmental and other criteria against which to assess proposals for the exploration, extraction, storage, processing and/or distribution of minerals. Proposals for the development of oil and gas resources (including coal bed methane, coal mine methane, shale gas and oil) will be required to demonstrate the highest levels of environmental, health and social protection and benefit consistent with prevailing national policy and regulation.
- 2.77 Policy LPC15 'Waste' promotes the sustainable management of waste and links to the more detailed requirements set out in the Merseyside and Halton Joint Waste Local Plan 2013 (or any document which may supersede this).

Other development management policies

- 2.78 Policies LPD01 to LPD10 (inclusive) set out further criteria covering (for example): design quality; open space requirements; householder developments; barn conversions; digital communications (e.g. mobile telephone antennae); advertisements; air quality; and hot food takeaways. The provisions of the Plan also address other forms of pollution such as noise.

3. FACTS SUPPORTING THE PROPOSED DECISION

- 3.1 The Local Plan is based upon a comprehensive evidence base, including many documents which were made available at 'Preferred Options' stage in 2016 and others which have been progressed subsequently. Subject to approval of this report, all the documents listed below must be made available for the public to view and comment on, along with any other relevant documents, when the Plan itself is published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

St Helens Green Belt Review 2018

- 3.2 This document replaces an earlier draft Green Belt review published with the Preferred Options. It provides a robust justification for the selection of sites to be removed from the Green Belt to meet needs for housing and employment development.

Sustainability Appraisal

- 3.3 The sustainability appraisal considers the effects of the emerging Plan against a range of economic, social and environmental issues. It also incorporates a Strategic Environmental Assessment, which is a legal requirement and which assesses the impacts of the Plan on the environment, the alternative options which have been assessed in finalising the Plan, and the measures which have been taken to mitigate the impacts.

Habitats Regulations Assessment (HRA)

- 3.4 The Habitats Regulation Assessment process is also a legal requirement and assesses the impacts of the Plan on biodiversity interests including designated European conservation sites in nearby districts and their supporting habitat. The Plan has been revised in response to the HRA process for example to address cumulative visitor pressure on the coastal European conservation sites, and to control air quality impacts on Manchester Mosses Special Area of Conservation (SAC).

St Helens Employment Land Needs Assessment

- 3.5 The St. Helens Employment Land Needs Study 2015 is available to view on the Council's website. An update to this evidence provides an up-to-date assessment of employment land needs in St Helens and an estimate of potential job generation within the sites allocated for employment development.

St Helens Strategic Housing Market Assessment

- 3.6 The Mid Mersey Strategic Housing Market Assessment 2016 is available to view on the Council website. An update to this evidence revises the assessment of housing needs in the Borough and examines different scenarios concerning the overall number of new dwellings required, the levels of affordable housing required and the mix of different types and tenures which are required.

St Helens Retail and Leisure Study 2018

- 3.7 This document assesses the needs for new retail development and other forms of town centre development. It also provides a health check of each of the Borough's town, district and local centres.

St Helens Local Plan Transport Impact Assessment 2018

- 3.8 The Transport Impact Assessment assesses the impacts of the site allocations which were proposed at Preferred Options stage on the road network, and in relation to sustainable transport modes (walking, cycling and public transport). Its findings have been used to inform the site allocations and policies of the Plan.

St Helens Local Plan Economic Viability Assessment

- 3.9 The Economic Viability Assessment considers the impacts of the Plan policies on development viability and the viability of the proposed site allocations. Its findings have been used to ensure that the Plan is effective having regard to these issues.

St Helens Infrastructure Delivery Plan (IDP) 2018

- 3.10 The IDP identifies key infrastructure implications arising from the Plan proposals and sets out a delivery schedule which identifies (as far as possible at this stage) when key infrastructure items may be delivered. The Infrastructure Delivery Plan is attached as appendix 7 to this report.

Revised St Helens Local Development Scheme (LDS) 2018

- 3.11 The Planning and Compulsory Purchase Act 2004 requires the Council to prepare and maintain a 'Local Development Scheme' (LDS). The LDS must set out: which development plan documents the Council intends to prepare; their subject matter; their geographical coverage; and the timetable for their preparation and revision. The Council's existing LDS was agreed by Cabinet on 18 November 2015 and covers a period of 3 years. A revised LDS has been prepared (see appendix 8 of this report). This formally sets out the revised timetable for preparation of the new Local Plan summarised in paragraph 2.6 of this report. Whilst there has been some delay in timescales this has enabled the

Plan to respond to the new NPPF (published in July 2018) and the changing requirements concerning housing need (see paragraphs 2.40 to 2.46 of this report).

- 3.12 In accordance with the Planning and Compulsory Purchase Act 2004, recommendation 5 of this report seeks approval to bring the revised LDS into effect and states a date from which the new LDS is to be effective (1 January 2019).

4. IMPLICATIONS/RELEVANCE TO MEETING SAVINGS TARGETS/ PLANNING FOR 2020

- 4.1 The Local Plan has the potential, once adopted, to have significant positive impacts on a number of corporate priorities including planning for 2020. These specific benefits include the potential to:

- support the continued balanced growth of the Borough, both in the short-term and long-term;
- enable the delivery of higher levels of economic growth than currently supported under the existing Core Strategy;
- create more job opportunities to bring more people of working age back into employment or offer greater choice to the existing workforce, thus reducing the need to travel out of the Borough for work and reduce dependency on benefits;
- improve physical and mental health and wellbeing, for example by enabling greater levels of access to suitable housing and job opportunities and improvements in the quality of greenspace;
- increase access to affordable housing and specialist housing;
- encourage inward investment by providing increased certainty to developers and occupiers of sites;
- enable investment in suitable infrastructure linked to the delivery of new development; and
- accelerate income to the community and the Council, due to an increase in the supply of sites available for development, which in turn can generate increased New Homes Bonus, Council Tax, and Business Rates.

5. RISKS

5.1 Risks Associated with the Proposed Decision

The following risks have been identified as being associated with the Proposed Decision:

- 5.2 Risk of Government intervention: The Government has confirmed (for example in a Written Statement made by the Secretary of State for Communities and Local Government to the House of Commons on 16 November 2017) that local plans must be reviewed as quickly as possible and that it will use statutory powers to intervene where Councils fail to make sufficient progress in this regard. This means that the Government could take over the process of preparing the Plan if it

is not progressed sufficiently quickly. The Council would lose control of the process in such circumstances. It is therefore important to progress the Plan expediently to minimise any risk of intervention.

- 5.3 Statements of Common Ground with other public bodies: As stated in paragraph 2.12 of this report, the Council has worked extensively on an on-going basis with neighbouring local authorities and other public bodies in compliance with the 'duty to cooperate'. The revised National Planning Policy Framework (July 2018) introduces a new requirement that plan-making authorities should prepare and maintain one or more Statements of Common Ground documenting the cross-boundary matters being addressed and progress in cooperating to address these. Progress has been made to prepare two Statements of Common Ground affecting St Helens, one covering the Liverpool City Region and one covering cross boundary issues with Warrington. However, these documents remain in draft form at present and it is important (to comply with the NPPF) that progress is maintained to finalise at least one Statement of Common Ground early in 2019.
- 5.4 The need to provide certainty for local communities - Significant elements of the adopted 'development plan' in St Helens are over 5 years old and/or are out of date. The preparation of the Local Plan within an appropriate timescale is therefore necessary to provide clarity to local communities and developers about where new homes and employment buildings should be located, so that development is planned rather than the result of speculative planning applications.
- 5.5 Reputational Risk and volume of responses to public consultation: The Preferred Options consultation gave rise to a considerable public response and it is anticipated that the next stages could also be contentious. The issue of Green Belt release in particular continues to be controversial and the proposed approach, whilst reducing the level of Green Belt release compared to the proposals in the Preferred Options document, is likely to be met by continued opposition and lobbying against the Plan. It is therefore important that there is effective communication with the public and other stakeholders. This should: set out how the Council has considered the consultation feedback received from earlier stages; ensure that people effectively understand the Plan (including the reasons for the revisions that have been made); and ensure that people understand how they may engage with the remainder of the process leading up to adoption of the Plan.
- 5.6 Changes to planning legislation and policy: The national planning policy situation (for example in relation to the method by which housing needs are calculated) remains changeable. It will be necessary to address any changes to national policy or legislation as the Plan moves through its remaining stages.
- 5.7 Changes to evidence base: Any further changes which take place to the evidence which underpins the Plan (for example in relation to housing or employment needs or land supply) will need to be taken into account as the Plan progresses.
- 5.8 Infrastructure: The level of development proposed would generate extra demands on existing infrastructure (e.g. transport, schools, health services,

utilities, green infrastructure and recreational facilities). There are also likely to be circumstances in which new infrastructure is required. Whilst substantial work has been undertaken to ensure that the delivery of the Plan proposals would be supported by suitable infrastructure, there will be a need for on-going engagement with infrastructure providers as the Plan is implemented to monitor progress in relation to this issue.

5.9 Should this Risk be added to the Corporate Risk Register?

No

6. OTHER IMPLICATIONS

6.1 Legal – It is a legal requirement to have a Local Plan in place and to keep it under review. The Plan must meet ‘soundness’ tests set out in the NPPF, including the need to accommodate objectively assessed needs for development. The Plan must also satisfy other legal requirements such as the ‘duty to cooperate’ with neighbouring authorities and other public bodies. Failure to meet these requirements would lead to a high risk that the Council could not adopt the Plan or that any decision to do so would be subject to legal challenge.

6.2 Financial – The forthcoming stages in the preparation of the Local Plan (particularly the examination in public scheduled to take place in 2019) will require suitable funding to cover the cost of staffing, consultancy work, the Inspectors fees etc. A separate delegated executive decision is being prepared to address this matter.

6.3 Human Resources – This report has no implications for human resources. The staffing support for the Development Plans team will be kept under review as the Local Plan progresses through its next stages including the examination in public in 2019 (see paragraph 6.2 above).

6.4 Land and Property (Asset) – The Council has an ownership interest in all or part of 4 of the sites proposed for housing allocation in the ‘submission draft’ version of the Plan. The Plan will also, through its role as part of the statutory ‘development plan’, guide the future development and use of all Council-owned buildings and sites in the Borough.

6.5 Anti-Poverty – The Plan is likely to assist the Council’s aims to address poverty by making available land for new development to provide a wider range of job opportunities and through its requirements concerning affordable housing and housing mix.

6.6 Effects on existing Council Policy – As it would (once adopted) form a new ‘development plan’ document the Local Plan will form a key element of the Council’s policy framework. The Plan will replace some elements of the current ‘development plan’, namely the St Helens Core Strategy 2012 and the ‘saved’ policies of the St Helens Unitary Development Plan 1998.

- 6.7 Effects on other Council Activities – The Local Plan will, through its role as the statutory ‘development plan’ guide all Council activities which impact on the use and development of land.
- 6.8 Human Rights – None.
- 6.9 Equalities – A Community Impact Assessment of the Plan is attached as appendix 9 to this report. This identifies that the Plan would bring a range of benefits to the community as a whole, for example by balancing the needs for new development with the need to preserve and enhance the environment. No adverse impacts on specific population groups, identified by reference to the protected characteristics set by the Equalities Act 2010 (for example race, disability, gender, age, sexual orientation, religion) have been identified. The Plan will also have specific benefits for some groups. For example, by allocating sites for use by gypsies and travellers the Plan will help meet their specific needs. The policies concerning housing mix will ensure that some housing is designed or can be readily adapted to meet the needs of the less mobile and older age groups (see paragraph 2.64 of this report).
- 6.10 Asset Management – No implications except those related to land and property (detailed in paragraph 6.4 above).
- 6.11 Health – The Plan contains a range of policies which will promote better levels of health and well-being, for example by: ensuring that new development is served by a sufficient range and quality of greenspaces; promoting the use of walking and cycling; and ensuring that new development does not cause substantial harm to air quality (particularly in Air Quality Management Areas) or in respect of other forms of pollution. It is also considered likely that the Plan policies which promote the delivery of higher levels of employment development and a better choice of housing will indirectly have a beneficial effect on health.

7. PREVIOUS APPROVAL/CONSULTATION

- 7.1 The ‘submission draft’ version of the Local Plan has been developed having regard to the feedback from extensive previous public consultation. This feedback is referred to, along with the previous decisions by the Council’s Cabinet in relation to the emerging Plan, in section 2 of this report and summarised in the Report of Consultation (appendix 4 to this report).

8. ALTERNATIVE OPTIONS AND IMPLICATIONS THEREOF

- 8.1 As the preparation of a revised Local Plan is a statutory duty, it is not a realistic option to substantially delay the preparation of the Plan.
- 8.2 In preparing the ‘proposed submission’ version of the Local Plan, officers have refined a range of options which were set out in the Preferred Options document 2016. This process has taken account of up-to-date evidence, the outcomes of the consultation on the Preferred Options and the requirements of national policy including the revised NPPF (July 2018). A sustainability appraisal has been undertaken which has robustly assessed the emerging Plan (including alternative policy approaches and sites) against a range of economic, social and

environmental objectives. Having regard to all these factors, a number of adjustments have been made to the Plan (summarised in section 2 of this report)

- 8.3 The strategy set out in the 'proposed submission' version of the Plan (see appendices 1 to 3 of this report) will meet the substantial development needs of the Borough whilst addressing the resultant pressures on infrastructure and the environment.

9. APPENDICES

Appendix 1	St Helens Local Plan 2020-2035: submission draft version (written statement)
Appendix 2	St Helens Local Plan 2020-2035: submission draft version - Policies Map (north)
Appendix 3	St Helens Local Plan 2020-2035: submission draft version - Policies Map (south)
Appendix 4	St Helens Local Plan: Preferred Options – Report of Consultation - TO FOLLOW
Appendix 5	Number of responses to Preferred Options consultation by geographical area
Appendix 6	Changes to housing and employment site allocations compared to those in the 'Preferred Options' proposals
Appendix 7	St Helens Local Plan: Infrastructure Delivery Plan 2018
Appendix 8	St Helens Local Development Scheme 2018
Appendix 9	Communities Impact Assessment

Paul Sanderson
Strategic Director of Place Services

The Contact Officer for this report is Jonathan Clarke, Development Plans Manager, Place Services Directorate, Town Hall Annex, St Helens WA10 1HP. Telephone 01744 676198
jonathanclarke@st.helens.gov.uk

BACKGROUND PAPERS

The following list of documents was used to complete this report and they are available for public inspection for four years from the date of the meeting, from the Contact Officer named above:

1. St Helens Green Belt Review 2018
2. St Helens Council Transport Impact Assessment 2018
3. St Helens Strategic Housing Market Assessment Update 2018
4. St Helens Employment Land Needs Study Addendum Report 2018