

**EX26**  
**KNOWSLEY LOCAL PLAN: CORE STRATEGY EXAMINATION**

**INSPECTOR'S INTERIM FINDINGS FOLLOWING HEARING SESSIONS**

At the end of the hearing sessions in November 2013 I indicated that, following my detailed consideration of all the evidence submitted to the examination (both oral and written), I would provide the Council with my interim findings on certain key soundness issues. I do this in the spirit of pro-activity and solution-finding with which I have approached this whole examination. By making the Council aware as soon as possible of the likely outcome of the key issues debated at the hearings, the authority has the opportunity to consider how it wishes to proceed with the Core Strategy (CS) before the main modifications are finalised.

It is important to stress that these interim findings are based on the evidence submitted thus far. I can only reach my final conclusions after considering any future representations received in response to consultation on the proposed modifications to the Submission CS. In addition, I generally provide only the 'headline' findings here – the detailed justification will appear in due course in my report to the Council.

Where a particular matter is not addressed in this Note it should be assumed that the policy and/or approach taken in the Submission CS (as modified by the Schedule of Potential Modifications dated 13 December 2013) is sound.

My interim findings are set out below.

**HOUSING**

1. The Submission CS proposes to meet in full, in quantitative terms, the objectively assessed housing needs of the borough. Consequently the minimum net target of 8,100 dwellings over the Plan period (an average of 450 per annum) is sound.
2. Based on the methodology produced by me during the hearings to assess urban land availability (EX23), which applied a range of discounts to the identified land supply, there is currently a shortfall in the five year supply of deliverable sites when allowance is made for backlog. Regarding the scale of the backlog, my findings are:
  - historic (pre-2010) backlog is included in the housing need figure above;
  - allowance should be made for just one of the measures of post-2010 backlog included in Table 1 of the Council's supplementary land supply document AD38 (20% NPPF buffer or early delivery of actual 2010-2013 backlog), as to include both would be double counting;
  - on balance, the 20% buffer sought by national policy is appropriate.

Consequently the 0-5 year target is 2,700 dwellings. The identified supply is 2,309 dwellings, equivalent to about 4.3 years and giving a shortfall of 391 dwellings.

3. For the Plan to be found sound it is necessary for a five year supply plus 20% to be demonstrated. On current evidence, this requires some land to be brought forward from sites in the Green Belt earlier than anticipated in the Submission CS.
4. The potential Green Belt supply (minimum 3,258 dwellings in CS Table 5.2)<sup>1</sup> is more than sufficient to meet the 2,271 shortfall from the total identified supply and provides adequate 'headroom' to allow for flexibility.
5. Given the recent planning permission for residential development on part of the land at South Prescott designated for employment use in the UDP (part of Area A), this site should be assessed as predominantly available for housing (as in AD38 Appendix 1) apart from the northern area which is shown as employment land on the approved plan.

#### EMPLOYMENT

6. Evidence from a wide range of sources indicates that the Submission CS minimum target of 183.5 hectares of employment land over the Plan period is towards the upper end of the range of probable needs. A more realistic and achievable minimum target is around 160 hectares (about 9 hectares per annum), though the identification of land above this level is necessary to provide flexibility or 'headroom'.
7. Turning to the employment land supply to meet this need, the stated existing capacity in CS Table 5.1 (170.2 hectares) is not deliverable. My detailed comments on the land supply are set out at item 2 of the Appendix to this Note; they follow an analysis of two sets of data (Appendix item 1) which do not appear wholly consistent.<sup>2</sup> The 170.2 hectares is an over-estimate because it includes some sites that are likely to be developed for housing (see item 5 above), and makes the unrealistic assumption that UDP expansion land allocations will be developed in full. There is also uncertainty about the quantum of 'Other' employment sites in the current supply, and identified constraints reduce the amount of land available on two specific sites.
8. Two sources of new supply are identified. Green Belt sites are expected to yield a minimum 42.39 hectares and represent a robust contribution. Some supply is also likely from unallocated expansion land and

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<sup>1</sup> This figure excludes any supply from Carr Lane, Prescott.

<sup>2</sup> I appreciate that the Council produced 'Supplementary Information – Matter 4' (AD36) at very short notice during the hearings to assist the employment land discussion, and therefore no criticism of the authority is intended for the differences in data. I also recognise that because there was limited time at the hearings to prepare for and discuss the new information in AD36, I may have misunderstood its content in this analysis. If this is so, I welcome clarification from the Council.

remodelling opportunities, though unless there is firm evidence of delivery on particular sites the expected yield from these sources should be substantially discounted. Overall it seems probable from the present information that these new sources of supply are sufficient to compensate for the deductions from the currently identified supply and provide an appropriate headroom above the new net minimum employment land requirement of 149 hectares (160 ha minimum target less 11 ha already delivered).<sup>3</sup>

9. The Council prepared a risk-assessed 5 year employment land supply (Appendix 2 of AD36) which broadly follows the discounting process set out by me for housing land (as in 2 above). Though time constraints prevented detailed discussion of this at the hearings, the exercise appears robust. It concludes that there is approximately a 6 year supply of deliverable employment land, based on a delivery rate of 10.2 ha per annum. Given the lower annual requirement identified above, this is sufficient to meet the immediate needs of the borough, including any backlog. Consequently it is not necessary at present, on quantitative grounds, to bring forward additional employment land from Green Belt reserve locations under policy CS5.3d.
10. On qualitative grounds there is justification for the early release of Green Belt sites to meet the specific needs for a high quality business park (following on from Kings Business Park, which is almost fully developed) and, to a lesser extent, for large scale distribution. The CS should give priority to identifying Green Belt reserve locations which would meet these specific needs early in the release programme. As part of this process, a significant and specified minimum area of the mixed-use reserve location at Knowsley Lane, Huyton should be identified in the CS for business park use.

#### GREEN BELT

11. The identification of reserve locations for release of land from the Green Belt at CS paragraph 5.50 is sound. None of the proposed alternative locations warrants inclusion in the CS. Though I remain of the view that land south of Kings Business Park (KGBS11) would be suitable for development in terms of Green Belt policy, I note from the updated status report (Supplementary Information - EX25 item 2) that it is not available. The proposed primary uses at CS paragraph 5.50 are also sound apart from Carr Lane, Prescot - because the adjacent land is likely to be developed for housing (see item 5 above), the primary use of this location should be solely housing.
12. The approach to the release of Green Belt reserve locations in policy CS5 requires re-appraisal in light of the absence of a 5 year housing land supply. To meet the immediate housing land supply problem it appears that at least some reserve locations will have to be redefined as specific site allocations in advance of preparation of the SADP. Of the options set

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<sup>3</sup> I ask the Council to re-assess the employment land availability in light of my findings and let me know if this conclusion is not correct.

out by the Council in its "Note on policy options concerning short term land supply..." (AD37), Option 2 (converting some of the reserve locations to allocations) may be the most expedient in terms of both controlling the release of Green Belt land and minimising the delay in achieving adoption of the CS. Simply removing the phasing mechanism from policy CS5 (Option 3) has the significant disadvantages of limiting the Plan's ability to provide policy guidance and not specifying site boundaries.

13. The Council's concern about the impact on the two main Principal Regeneration Areas (PRA) of the release of certain smaller reserve locations is acknowledged. But for this argument to be valid, it should be supported by compelling evidence that the early release of a particular reserve location would significantly undermine delivery of a PRA. The evidence in the Green Belt Technical Report (TR03) Appendix 5 under objective SO3 suggests that any impact would be positive rather than negative.
14. Ultimately it is for the Council to determine the preferred way forward and to justify its approach as "sound". A clear and robust methodology to guide the release of Green Belt land is required.

#### TOWN CENTRES/ RETAIL

15. The approach to Kirkby town centre in policy CS10 is appropriate if the retail units proposed south of Cherryfield Drive in the extant permission (or any further amendment to it) are built. If this development does not take place, however, policy CS10 should not simply be taken as justifying town centre expansion whatever its scale. Any new scheme should be examined critically and, if town centre expansion is again proposed, a new sequential assessment should be undertaken to determine whether the need could more appropriately be met within the existing town centre in accordance with national policy.
16. To achieve this, the Plan might be modified in the following way:
  - Re-word policy CS10 1c: If necessary to create sufficient capacity for retail-led regeneration, designation of land to the south of Cherryfield Drive to permit expansion of the town centre and primary shopping area.
  - Additional sentence at end of paragraph 6.22: If this development south of Cherryfield Drive is not built, any future proposal involving town centre expansion will be required to justify such expansion by satisfying the sequential test of national policy.
17. The approach to Prescott town centre in policy CS14, which proposes an extension of the town centre along Sewell Street towards Cables Retail Park, but does not include the retail park within the town centre boundary, is sound. Maps 5.1 and 6.3, which appear to show a town centre boundary extension which incorporates the retail park, require modification.

MATTERS STILL TO BE DECIDED BY THE COUNCIL

18. The Council has yet to decide its approach to the affordable housing policy (CS15), with particular regard to the overall 25% proportion and the tenure mix at paragraph 7.8, in light of the evidence relating to rebalancing the housing market and viability.
19. Consideration is being given to whether guidance is necessary on the relative priority to be given to various non-mandatory requirements of CS policies in cases where viability issues arise.

COMMENTS ON SCHEDULE OF POTENTIAL MODIFICATIONS, DECEMBER 2013

PM16	Policy CS5 clause 1	Proposed revision is not wholly consistent with NPPF policy, which states that inappropriate development is, by definition, harmful to the Green Belt. Suggest further revision along lines of: ".....except in very special circumstances in which it has been demonstrated that <del>any</del> <u>the</u> harm to the Green Belt ( <del>for example including any harm</del> to its purposes or its visual and recreational amenities)....."
PM21	Paragraph 5.64	Proposed modification to first sentence is very difficult to understand.

*Martin Pike*

Inspector  
15 January 2014

**Appendix – EMPLOYMENT LAND AVAILABILITY**

**1. Reconciling total land supply of 257.79ha at Table 3.1 of Employment Position Statement (SD23) with figure of 238.57ha in Supplementary Information – Matter 4 (AD36) produced in Nov 2013.**

CURRENT LAND SUPPLY

<u>Sites under construction</u>	12.02	in both documents		no difference
<u>UDP Allocations</u>	<u>SD23 Table 3.1:</u>			
	UDP Alloc	95.31		
	UDP Alloc with PP	<u>11.84</u>		
		107.15		
	<u>AD36:</u>			
	UDP Alloc (less u/c)	48.5		
	UDP Expansion land	25.96		
	Kings Business Park	9.3		
	South Prescott AA	<u>23.39</u>		
		107.15		no difference
<u>Other Sites</u>	<u>SD23 Table 3.1</u>			
	Other sites with PP	4.22		
	Other available sites	<u>46.76</u>		
		50.98		}
				} difference
	<u>AD36</u>			
	Other employment sites	42.02		} not understood

POTENTIAL REMODELLING OPPORTUNITIES

SD23 Table 3.1 gives a maximum figure of 22.85 ha from 14 sites, as detailed in Table 3.3. These comprise 3 specific sites at Halewood (10.48ha) and 11 unspecified sites at Kirkby. Paragraph 3.2.2 of SD23 indicates that contact with landowners is necessary to assess realistic deliverability before these sites can be added to the current land supply.

AD36 has two categories – ‘Unallocated Expansion Land’ (which includes the 3 Halewood sites) giving 16.53ha, and ‘Land with Remodelling Potential’ giving 18.34ha. It is not clear why the total of 34.87ha is significantly above the 22.85ha in SD23.

POTENTIAL GREEN BELT SITES

SD23 Table 3.1 gives a maximum figure of 64.79ha; Table 3.4 list the sites individually and also provides a minimum figure of 42.39ha.

AD36 gives a figure of 45.57ha, which comprises the minimum 42.39ha plus Carr Lane, Prescott (3.18ha).

Thus the difference between the Green Belt figures is understood.

## **2. Inspector's Detailed Findings on Total Employment Land Supply**

### CURRENT LAND SUPPLY

- 2.1 A very substantial discount (perhaps 75%?) should be applied to the Expansion Land component of UDP allocations (25.96ha) unless (on an individual site basis) there is specific landowner/developer evidence of an intention to build within the Plan period.
- 2.2 UDP South Prescott AA (Area A). It appears that a major part of the employment allocation includes land which is likely to be developed for housing. If this is correct, the residential component should be removed from the employment land supply to avoid double counting.
- 2.3 Land with identified constraints. Two sites (12 and 182) are identified in AD36 Appendix 2 as being constrained; the available land area to be included in the total supply should be reduced accordingly.
- 2.4 Other Sites. Given the difference in the estimates of land available on 'Other Sites' between SD23 and AD36 (see Appendix, item 1 above), a clear and robust assessment of this supply category is required.

### POTENTIAL REMODELLING OPPORTUNITIES

- 2.5 The categorisation of sites as 'unallocated expansion land' and 'potential remodelling opportunities' is confusing. A clear and consistent distinction should be made between the two categories. Given the difference in estimates between SD23 and AD36 (see Appendix, item 1 above), a fresh assessment of these supply categories is required.
- 2.6 As with UDP expansion land, such sites should not be included without a substantial discount unless there is specific landowner/developer evidence of an intention to build within the Plan period. It may be appropriate to apply a different discount to each category.

### POTENTIAL GREEN BELT SITES

- 2.7 As a consequence of the assumed delivery of housing on South Prescott Area A, the Carr Lane, Prescott Green Belt site is also considered most suitable for housing. The yield from Green Belt employment sites should therefore be the minimum 42.39ha.