

Report to Halton Borough Council

by Caroline Mulloy BSc (Hons) DipTP MRTPI

and David Troy BSc (Hons) MA MRTPI

Inspectors appointed by the Secretary of State

Date: 22 February 2022

Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the Halton Delivery and Allocations Local Plan

The Plan was submitted for Examination on 5 March 2020

The Examination Hearings were held between 9 March 2021 and 17 June 2021

File Ref: PINS/D0650/429/5

Contents

Abbreviations used in this report	4
Non-Technical Summary	5
Introduction	6
Context of the Plan.....	7
Public Sector Equality Duty	7
Assessment of Duty to Co-operate.....	8
Assessment of Other Aspects of Legal Compliance	10
Assessment of Soundness.....	12
Issue 1 – Whether the spatial strategy is justified, effective and consistent with national policy.....	12
Issue 2a - Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the overall provision for housing and the housing requirement?.....	14
Issue 2b – Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the provision for other housing requirements and residential development?.....	19
Issue 3 – Whether the Local Plan has been positively prepared and is justified, effective and consistent with national policy in relation to employment development?	26
Issue 4 – Whether the Local Plan has been positively prepared and whether is it justified, effective and consistent with national policy in relation to Halton Centres?.....	29
Issue 5 – Whether the approach to the alteration of the Green Belt and development within it is justified, effective and consistent with national policy?.....	31
Issue 6 – Whether the Local Plan is justified, effective and consistent with national policy in relation to Transport and Communications?.....	35
Issue 7 – Whether the Local Plan is positively prepared, justified, effective and consistent with national policy in relation to Liverpool John Lennon Airport?.....	37
Issue 8 – Whether the Local Plan is justified, effective and consistent with national policy in relation to Minerals?.....	41
Issue 9 – Whether the Local Plan is justified, effective and consistent with national policy in relation to Natural and Historic Environment?.....	42

Issue 10 – Whether the Local Plan is justified, effective and consistent with national policy in relation to Design and Sustainable Development?.....	47
Issue 11 – Whether the proposed housing allocations are justified, effective and consistent with national policy?.....	48
Issue 12 – Whether the approach towards the supply and delivery of housing land is justified, effective and consistent with national policy?.....	63
Issue 13 - Whether the proposed employment allocations are justified, effective and consistent with national policy?.....	68
Issue 14 - Whether the proposed Halton centre allocations are justified, effective and consistent with national policy?.....	70
Issue 15 - Whether the proposed Gypsy, Traveller and Traveller Showpeople allocations are justified, effective and consistent with national policy?.....	72
Issue 16 – Whether the land proposed for safeguarding is justified, effective and consistent with national policy?.....	73
Issue 17 – Other matters.....	79
Issue 18 – Whether the Local Plan is justified, effective and consistent with national policy in relation to Infrastructure Provision, Implementation, Monitoring and Viability?.....	79
Overall Conclusion and Recommendation	81
Schedule of Main Modifications.....	Appendix 1

Abbreviations used in this report

dpa	dwellings per annum
DTC	Duty to Co-operate
GTAA	Gypsy and Traveller Accommodation Assessment
HRA	Habitat Regulations Assessment
HRS	Halton Retail Study (2017)
HRMIA	Halton Recreational Management Interim Approach
IDP	Infrastructure Delivery Plan
LEP	Local Enterprise Partnership
LCR	Liverpool City Region
LJLA	Liverpool John Lennon Airport
MEAS	Mersey Environmental Advisory Service
MM-HMA	Mid-Mersey Housing Market Area
MM	Main Modification
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAMM	Site Avoidance Mitigation Measures
SANG	Suitable Alternative Natural Greenspace
SDC	Spatial Development Strategy
SHELMA	Strategic Housing and Employment Land Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SNHP	Sub-national household projections
SNPP	Sub-national population projections
SoCG	Statement of Common Ground
SPA	Special Protection Area
UDP	Halton Unitary Development Plan (2005)
WPVA	Whole Plan Viability Assessment

Non-Technical Summary

This report concludes that the Halton Delivery and Allocations Local Plan (Local Plan) provides an appropriate basis for the planning of the Borough provided that a number of main modifications [MMs] are made to it. Halton Borough Council has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

Following the Hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal and habitats regulations assessment of them. The MMs were subject to public consultation over a six-week period. In some cases, we have amended their detailed wording and/or added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- A number of MMs are necessary to enable a conclusion of no likely significant effect at plan-making level on the qualifying features of internationally important sites (Natura 2000 sites), including the clarification that mitigation would be required on all residential proposals of 10 or more dwellings/units in relation to measures to deal with the likely significant adverse effects from recreational disturbance on qualifying features of nearby marine and estuarine environments.
- Incorporating an interim approach for Halton for strategically securing mitigation in relation to recreational disturbance and residential development in advance of any wider City Region mechanism.
- A revised housing trajectory and updated housing supply position.
- MM's to delete the proposed housing and safeguarded sites proposed around Daresbury village to retain the existing Green Belt boundary on the A56 Chester Road.
- MM's to delete four residential sites and one mixed use allocation within the Health and Safety Inner consultation zone for reasons of health and safety.
- Various amendments to site allocations to reflect revised site capacities.
- A number of other modifications to ensure that the Local Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Local Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether or not it is sound. The National Planning Policy Framework 2021 (paragraph 35) (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the Examination is the assumption that the local planning authority has submitted what it considers to be a sound and legally compliant plan. The Halton Delivery and Allocations Local Plan Proposed Submission Draft, August 2019, submitted in March 2020 is the basis for our Examination. It is the same document as was published for consultation in August 2019.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any MMs necessary to rectify matters that make the Plan unsound and not legally compliant and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM001**, **MM022** etc, and are set out in full in the Appendix.
4. Following the Examination Hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MM schedule was subject to public consultation for six weeks. We have taken account of the consultation responses in coming to our conclusions in this report and, in this light, we have made some amendments to the detailed wording of the MMs and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal/habitats regulations assessment that has been undertaken. Where necessary we have highlighted these amendments in the report.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as DALP Policies Map Submission Version as set out in SD02.

6. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend MMs to it. However, a number of the published MMs to the Local Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.
7. These further changes to the policies map were published for consultation alongside the MMs 'Amendments to Policies Map'. In this report we identify any amendments that are needed to those further changes in the light of the consultation responses.
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in 'Amendments to Policies Map' and the further changes published alongside the MMs incorporating any necessary amendments identified in this report.

Context of the Plan

9. The Local Plan will replace some of the planning policies contained in the Halton Core Strategy Local Plan (2013). Part 1 of the document contains strategic policies, updating the Core Strategy policies. Part 2 contains non-strategic policies and site allocations which will replace the saved policies of the Halton Unitary Development Plan (2005) (UDP). Core Strategy policies CS23: Managing Pollution and Risk and CS24: Waste are to be retained. The Joint Waste Local Plan (2013) provides the planning strategy for sustainable waste management to 2025.
10. The Borough comprises of the two main towns of Widnes to the north of the River Mersey and Runcorn to the south. There are also the smaller settlements of Moore, Daresbury, Preston-on-the-Hill and Hale Village. The Borough has a population of 128,432 people and lies within the core of the Liverpool City Region. Around one third of the Borough is Green Belt and the Mersey Estuary and foreshore is designated as a Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest.

Public Sector Equality Duty

11. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included our consideration of several matters during the Examination including the provision of traveller sites to meet need and accessible and adaptable housing. The Local Plan was accompanied by an Equality Impact Assessment (2019) [SD06] which has considered the impact of the Plan on those with protected characteristics. The analysis identifies only positive or neutral impacts. Positive impacts include improving accessibility to

services and facilities for all of those with protected characteristics and the provision of specialist housing for particular groups.

Assessment of Duty to Co-operate (DtC)

12. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
13. Halton forms part of the wider Liverpool City Region (LCR), which also comprises Knowsley, St. Helens, Sefton and Wirral as well as West Lancashire as an associate member. The LCR is a combined authority with a metro-mayor and a responsibility to prepare a Spatial Development Strategy (SDS) for the city region. In early 2020 a Spatial Planning Statement of Common Ground (SoCG) was published by the LCR authorities including Halton which sets out strategic priorities for the region including housing delivery, the strategic role of the Liverpool John Lennon Airport and the need to protect important environmental habitats.
14. Halton forms part of the 'Mid-Mersey' Housing Market Area (MM-HMA) together with St. Helens and Warrington. The constituent authorities prepared the Mid-Mersey Strategic Housing Market Assessment (SHMA) (EL026) which identified objectively assessed need for each of the three Council areas. This was subsequently followed by the Liverpool City Region Strategic Housing Market and Employment Land Market Assessment (LCR-SHELMA) (EL014) which confirmed the MM-HMA. The SHELMA identified a demographic housing need and also two economic-based scenarios for the Liverpool City Region (LCR) and its component local authorities. Consequently, the Council has worked proactively with neighbouring authorities in the preparation of a shared evidence base.
15. Since the production of the SHMAA and SHELMA the Government introduced the Standard Method for calculating housing requirements and the LCR authorities have had to reappraise the housing figure in their emerging plans. Whilst there are substantial two-way migration flows identified between Halton and the surrounding authorities, net flows are modest. It is, therefore, unlikely that any additional housing in Halton to support economic growth would have a meaningful impact on surrounding authorities.
16. The Green Belt Study employed the same methodology as used by Knowsley, Sefton and subsequently St. Helen's. Where Green Belt release has been proposed in proximity to borough boundaries, these have been subject to DtC discussions. This has resulted in some amendments to proposed Green Belt release for example close to the border with Warrington to retain the integrity of the Green Belt.
17. Given that the Local Plan involves Green Belt release to meet housing need, the Council was proactive in asking other authorities if they would be able to accommodate any of its housing need on non-Green Belt land within their areas. None of the other authorities can do so and indeed some of those

authorities' own Local Plans also involve Green Belt release. As set out in the various Statements of Common Ground (SoCG) it is agreed by the authorities within the LCR that each authority will plan to meet their own locally arising need. No neighbouring authority has raised concerns regarding the level of housing provision or the approach to Green Belt release proposed in the Local Plan or the DtC.

18. Halton worked with partners across the LCR in commissioning and completion of the LCR-SHELMA which shares economic projections which underpin the Local Enterprise Partnerships (LEP) Growth Strategy including the effects of the LEP's priority growth sectors. Each authority also provided information in relation to 'transformational' sites to feed into the LCR-SHELMA Growth Scenario. The LCR-SHELMA provides the evidence base to inform the respective local plans. Volume 2a of the LCR-SHELMA (EL015) sought to quantify the existing stock of sites across the City Region suitable for large scale B8 development whilst Volume 2b (EL016) looked at a range of further potential sites.
19. The LCR partners have not yet agreed to formally disaggregate the identified shortfall in committed supply between the districts; however, due to the advanced stage of Local Plan preparation, Halton has made its own assessment of large scale B8 uses for the Borough. Whilst this precedes the regional disaggregation, the Council has kept neighbouring authorities within the LCR region informed of its position.
20. Given the cross-boundary issues involved, the Council has worked closely with neighbouring authorities in the City Region, Natural England and other organisations in relation to habitat protection and mitigation. The Liverpool City Region Ecological Network developed by the Merseyside Environmental Advisory Service (MEAS) has assisted in providing a consistent approach to these matters across the LCR region. In particular, the Council and its partners are working closely to develop the emerging LCR Recreation Mitigation Strategy to ensure a strategic approach to the mitigation of recreational pressure on international and European Sites arising from new development. The draft Halton Interim Approach reflects the regional approach.
21. A significant cross-boundary matter is the proposed expansion at Liverpool John Lennon Airport (LJLA), the majority of which is within Liverpool, with part of the runway and the proposed Eastern Access Transport Corridor within Halton Borough. The proposed expansion is clearly identified as being of strategic importance for the LCR authorities as part of the LCR Growth Strategy (EL017) and the LCR Combined Authorities Transport Plan (EL042). The LJLA expansion proposals are reaffirmed through the respective plan-making processes in the Local Plan and the Liverpool Local Plan 2022 reflecting the cross-boundary consistency and cooperation on the airport.
22. In conclusion, we are satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

Assessment of Other Aspects of Legal Compliance

23. The Plan has been prepared in accordance with the Council's Local Development Scheme, which has been updated at various stages. The January 2020 update reflects the revised 5 March 2020 submission date. A further update to the LDS was published alongside modifications. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
24. The Council carried out a SA of the Plan, prepared a report of the findings of the appraisal, and published the report along with the Local Plan and other submission documents under regulation 19.
25. Historic England raised concerns regarding the scoring of some of the policies and site allocations in the appraisal in relation to the effect on the SA Objective 'Cultural Heritage and Landscape'. The Council and Historic England prepared a SoCG [PSD03a] in which modifications to a number of policies are proposed to address these concerns. It also sets out a Site Allocation Heritage Impact Assessment in consultation with Historic England.
26. The proposed modifications to the various policies are discussed at the relevant sections below. Historic England confirm that these modifications address their concerns. The SA was updated to reflect the proposed changes and assess the MMs.
27. The HRA (July 2020) [SD03a] sets out that an appropriate assessment has been undertaken. It identifies that the Local Plan may have some negative impacts which require mitigation, and this mitigation has been secured through the Local Plan as modified.
28. The HRA identified that some impact pathways relating to the Mersey Estuary SPA and Ramsar, the Sefton Coast SAC and the Manchester Mosses SAC require the incorporation of further mitigation wording into the relevant policies to avoid adverse effects on site integrity. In the case of the Mersey Estuary SPA and Ramsar potential impacts may arise due to the proximity of the designated sites to development allocated in the Local Plan. In relation to the Sefton Coast additional mitigation is necessary to protect the vulnerable dune habitats and the associated specialised vegetation from recreational pressure.
29. In order to address these impacts the Council has worked with MEAS, the Liverpool City Region and Natural England. The Council and Natural England have agreed a SoCG [PSD 03d) which sets out suggested modifications to various policies in the Local Plan and the HRA itself. The Council has also prepared the Halton Recreational Management Interim Approach (HRMIA) [PDS04], in consultation with partners, in order to address recreational pressures arising from development proposed in the Local Plan until the LCR Recreational Management Strategy is adopted.

30. The HRMIA would apply to all residential schemes over 10 dwellings, and it would recognise a distinction between a core zone within 5km of protected habitats; and an outer zone beyond. Three types of mitigation would be secured including Suitable Alternative Natural Greenspaces (SANG), Site Avoidance Mitigation Measures (SAMM) and householder packs. The HRMIA identifies Halton SANG locations including Town Par, Wigg Island and Widnes Waterfront. Hale Head is identified as Halton's SAMM for the targeting of mitigation.
31. Main Modifications to Policies CS(R)1 [**MM003**], CS(R)20 [**MM016**] and HE1 [**MM037**] are required to ensure that future development proposals satisfy the requirements of the Habitat Regulations; mitigate any recreational disturbance impacts arising from developments; deliver green infrastructure approaches in all developments in accordance with the HRMIA and the LCR RMS; and ensure that development proposals adequately assess and mitigate the loss of supporting habitat. These modifications are required to ensure that the Plan is legally compliant.
32. Main Modification **MM008** is required to Policy CS(R)7 to ensure that there is sufficient wastewater treatment capacity. Main Modification **MM013** is required to Policy CS(R)17 to ensure that assessment of air quality impacts arising from proposals at LJLA are undertaken at the project level to ensure that the Local Plan is legally compliant.
33. Main Modification **MM045** is required to Policy HE7 and the supporting text to ensure that development does not have an unacceptable impact on national and international designated nature conservation sites. These modifications are necessary to meet the Habitat Regulations and to ensure that the Local Plan is legally compliant.
34. Overall, with these modifications we are satisfied that the HRA work underpinning the Plan has been carried out in accordance with the relevant legal requirements and that the policies of the Local Plan provide an appropriate framework to ensure that development would not have an adverse impact on European Protected habitats. Furthermore, the Whole Plan Viability Assessment (WPVA) takes account of the effect of any contributions towards recreational mitigation and management.
35. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area. Furthermore, the Local Plan, includes policies designed to secure that the development and use of land in the local planning authority's area which contribute to the mitigation of, and adaptation to, climate change.
36. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

37. Taking account of all the representations, the written evidence and the discussions that took place at the Examination Hearings, we have identified 18 main issues upon which the soundness of this Local Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Whether the spatial strategy is justified, effective and consistent with national policy

Spatial Strategy

38. The spatial strategy set out in Policy CS(R)1 seeks to focus development within or around Principal Towns of Runcorn and Widnes; reflecting their size, wide range of services and facilities and accessibility by a range of transport modes. Together they form the main urban areas within the Borough and provide significant opportunities to accommodate development, including remaining undeveloped land associated with the previous Runcorn New Town. However, the actual distribution of development proposed in the Local Plan is also influenced by a number of other factors that affect the availability of suitable sites, such as biodiversity, flood risk and Green Belt.
39. The spatial strategy seeks to focus on a balanced approach of prioritised urban regeneration supported by greenfield expansion in five Key Urban Regeneration Areas within or around Runcorn and Widnes. This concept builds on the Areas of Change established in the Halton Core Strategy and focuses on renewing Halton's urban landscape through the re-use of previously developed land. The areas include West Runcorn, South Widnes and Halebank and Ditton Corridor, that contain sizeable areas of previously developed land. These areas have benefitted from previous regeneration initiatives and improved accessibility arising from the opening of the Mersey Gateway Bridge and are suitable for a mix of employment and residential uses.
40. However not all of the development required over the plan period can be accommodated on previously developed land, hence the need to identify greenfield land suitable for development. East Runcorn was selected because it is on the edge of Runcorn, it is not in the Green Belt, it represents a continuation of the policy of developing housing at Sandymoor and, by incorporating the currently free standing employment areas at Daresbury Park and Daresbury Sci-Tech Campus, it creates the opportunity to expand them.
41. The built-up areas of North Widnes and Halebank cover the main areas for greenfield expansion in the Green Belt on the northern and western edge of Widnes. The Core Strategy Inspector indicated that due to the limitations on the supply of the previously developed land and limited scope for additional infilling, a review of the Green Belt boundaries would ensure the provision of a flexible

compulsion for the Plan to carry forward the previous approach in the Core Strategy of setting separate housing targets for the principal towns.

48. Furthermore, whilst it was reasonable to take localised housing needs in different parts of the Borough into account when determining the spatial strategy and deciding which sites to allocate, there is no requirement in national policy to meet needs on a settlement by settlement basis.
49. Decisions about the overall spatial strategy for an area and the broad distribution of housing and employment are ultimately based on judgements taking account of a range of factors that the local planning authority has primary responsibility for making. Thus, whilst others may have chosen a different spatial strategy for housing and employment development, that proposed through the allocations in the Local Plan is justified as it was informed by a wide range of proportionate and relevant evidence including the SA.

Conclusion

50. Overall, subject to the MM set out above, the approach towards the Spatial Strategy is justified, effective and consistent with national policy.

Housing

Issue 2a – Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the overall provision for housing and the housing requirement?

Background

51. The Halton Core Strategy (April 2013) (SD22) set out a housing requirement of 552 dwellings per annum (dpa), reflecting the then Regional Spatial Strategy requirement of 500 dpa plus an additional amount to reflect previous under-supply. Subsequently, the NPPF introduced the requirement for plans to quantify and then plan to meet their objectively assessed need (OAN) for housing. This resulted in the Council working together with partners in the preparation of two studies to quantify OAN.
52. The MM SHMA (EL026) identified that Halton formed part of the Mid-Mersey Housing Market Area together with Warrington and St Helens Councils. The MM SHMA considered trend-based population and household projections, migration projections, market signals, affordable housing and affordability and recommended a housing requirement of 466 dpa.
53. The subsequent LCR SHELMA (2018) (EL014/EL014a) supported the inclusion of Halton within the Mid-Mersey HMA. It was based on 2014 based Sub-National Population Projections (SNPP), rebased to reflect the 2015 mid-year population estimates and the 2014 Sub-National Household Projections (SNHP). It identified a demographic need of 254 dpa for Halton.

update to the LCR SHELMA would not be consistent with the Government's move away from complex SHMA's.

83. There are a number of alternative housing requirement figures for the Borough ranging from the local housing need figure of 265 dpa, through to the LCR Growth Scenario of 565 dpa. Indeed, a site promoter has undertaken their own assessment based on the 2018-based SNHP and updated economic forecasts which concludes that the requirement should be between 344 dpa to 424 dpa. The Council's proposed housing requirement of 350 dpa lies within the range of all these forecasts. Whilst at the lower end of the range it, nevertheless, provides sufficient flexibility to enable economic growth and take account of emerging demographic forecasts.
84. The Council has exercised reasonable planning judgment in reaching the housing requirement based on proportionate evidence. The requirement sits above that indicated by the standard method and exceeds the minimum starting point and can, therefore, be considered sound.
85. The Local Plan is allocating around 180 ha of employment land which the Council acknowledges aligns with the full growth scenario set out in the LCR-SHELMA. However, the baseline economic growth should be reflected within the local housing need calculation and the transformational sites are not coming forward as quickly as originally envisaged. Furthermore, the higher employment land requirement and allocations will ensure that sufficient land is available of an appropriate scale and in the right location to respond to the market.
86. Moreover, as noted by the Core Strategy Inspector, Halton is situated within a densely populated region within short commuting distance to neighbouring towns such as Warrington and so any commuting to employment from other authorities in the region would be no less sustainable than commuting within the Borough.

Conclusion on Issue 2a

87. We consider that the Plan is positively prepared, justified, effective and consistent with national policy in relation to the overall provision of housing and the housing requirement.

Issue 2b – Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the provision for other housing requirements and residential development?

Housing Mix and Specialist Housing (Policy CS(R)12)

88. It is appropriate for the Local Plan to seek a range of housing to meet the varied needs of the local community reflecting paragraphs 60 and 62 of the NPPF which require that the size, type and tenure of housing needed for different groups are addressed. However, **MM009** is required to Policy CS(R)12 to clarify that the housing mix in terms of dwelling size and specialist housing would be 'encouraged' as opposed to be a requirement under part 1 of the Policy in the interests of effectiveness.

159. Policy HC4 sets out the Council's approach to considering applications for shop fronts, signage and advertising. **MM033** is necessary to ensure that part d of the policy is effectively worded in terms of conserving and enhancing features which contribute to the significance of heritage assets and their settings to reflect national policy.
160. Policy HC5 sets out the Council's approach to community facilities and services. Part 6 of the policy seeks to protect the Halton Hospital Campus as a key community facility whilst also providing guidance on the range of uses that would be acceptable from opportunities which may arise from the consolidation and reconfiguration of uses within the site. We consider that the range of uses are acceptable for the site. **MM034** is necessary for the policy to properly reflect the new Use Classes Order and to be effective.
161. Policy HC8 sets out the Council's approach to the consideration of applications for food and drink uses. Part 2 of the policy relating to Hot Food Takeaways lacks clarity in terms of the thresholds for the percentage of hot food takeaways that would be allowed as a proportion of the total number of units in each type of centre. **MM035** clarifies the approach in the different types of centre in the interests of effectiveness. **MM035** is also necessary for the policy to properly reflect the new Use Classes Order in order for it to be effective. Consequential amendments are necessary in the supporting text to the policy (paragraphs 11.35 and 11.36) and additional paragraphs are required to provide further clarity on how the policy will be applied. **MM035** addresses this point in the interests of effectiveness.
162. **MM036** is required to ensure that Policy HC9 properly reflects the new Use Classes Order and in order to be effective.

Conclusion on Issue 4

163. Overall, the subject to the MMs set out above, the Local Plan has been positively prepared and is justified, effective and consistent with national policy in relation to Halton's Centres.

Issue 5 – Whether the approach to the alteration of the Green Belt and development within it is justified, effective and consistent with national policy?

164. The Council has carried out a comprehensive assessment of the potential capacity to accommodate housing through the SHLAA (HBC, 2017) (EL031). The SHLAA was based on an appropriate methodology which took account of environmental and other constraints and the assessment of potential sites in light of the spatial strategy and other policies. It reaches justified conclusions in terms of housing land availability.
165. Taking into account existing commitments, there is a residual requirement of 2,515 dwellings to meet the housing land requirement. As already discussed, the SHLAA has identified a significant amount of land within the urban area to meet the housing requirement and to minimise the release of Green Belt land; however, most of this land is within Runcorn. Whilst there would be a small

182. Policy CS(R)6 is a strategic policy which seeks to protect the Green Belt from inappropriate development. **MM007** is necessary to reflect paragraph 142 of the Framework which requires strategic policy makers to set out ways in which the impact of removing land from the Green Belt can be off set from compensatory improvements to the environmental quality and accessibility of remaining land.
183. Following consultation on the Main Modifications, an additional paragraph is required to the supporting text to Policy CS(R)6 to clarify the types of compensatory improvements which could be required to be consistent with the PPG. **MM007a** addresses this point to be consistent with national policy.
184. Policy GB1 sets out the approach to the consideration of development proposals in the Green Belt. It is necessary to amend part 1b to refer to burial ground and allotments to be consistent with the NPPF and **MM054** addresses this point.
185. Amendments are necessary to Policy GB2 to clarify that safeguarded land is not allocated for development at the present time to be consistent with paragraph 143 of the NPPF. Amendments are also necessary to clarify the position in terms of extensions to existing development and that development should not prejudice the future comprehensive development of safeguarded land. **MM055** addresses these points in the interests of effectiveness.
186. Following consultation on the MMs, a further change is required to paragraph 14.9 as it states that safeguarded land would be protected from development as if it were Green Belt implying that Green Belt policies would apply. **MM055a** remedies this point and clarifies that such land is safeguarded for potential future development should a future Local Plan Review deem it necessary for the policy to be effective and consistent with national policy.

Conclusion on Issue 5

187. Overall, subject to the MMs set out above, the approach to the alteration of the Green Belt and development within it is justified, effective and consistent with national policy.

Transport and Communications

Issue 6 – Whether the Local Plan is justified, effective and consistent with national policy in relation to Transport and Communications?

Sustainable Transport and Transport Networks

188. Policy CS(R)15 outlines the Council's strategic approach to transport whilst Policy C1 sets out the framework for promoting sustainable transport options and dealing with the potential impacts of development on the transport networks. Transport assessment work has been prepared in order to assess the potential impact of Local Plan proposals on the local and strategic road network

Liverpool John Lennon Airport

Issue 7 – Whether the Local Plan is positively prepared, justified, effective and consistent with national policy in relation to Liverpool John Lennon Airport?

The Importance and Purpose of the Green Belt

194. The bulk of Liverpool John Lennon Airport (LJLA) is in Liverpool rather than Halton but a proposed runway extension and an associated road extend into the Borough on land within the Green Belt. This extension, which is referred to in the Halton Core Strategy, would require a minor change to Green Belt boundaries and the possibility of this is anticipated in Policy CS17 of the Core Strategy, with an Area of Search for the runway extension in the Green Belt.
195. The part of the site currently Green Belt comprises a primarily undeveloped area of land that is partially enclosed by the airport's boundary perimeter fence and contains a mix of scrub and rough grassland. The site is bounded by the buildings and facilities associated with LJLA to the west, housing to the north and east and the River Mersey to the south. A number of runway localiser structures further reduce any intrinsic landscape value. The openness and tranquillity of the area is significantly affected by the proximity of the airport including prominent buildings and aircraft activity. The principal contributor to openness at this location is the expansive Mersey estuary. Overall, we find the modest area of land makes only a limited contribution to a sense of openness at this location.
196. The Green Belt Review concludes that the northern parcel of land proposed for inclusion within LJLA performs moderately against the purposes of Green Belt. Some parcels of land (GB079, GB221 & GB229) mainly to the south of Bailey's Lane are identified as making a relatively strong contribution to the purpose of safeguarding the countryside from encroachment.
197. In terms of safeguarding the countryside from encroachment, a relatively modest area of countryside would be developed with attendant harm in terms of physical loss of countryside. However, it does not form part of the wider fabric of cohesive countryside extending out from Liverpool. The proposal in the Plan to protect a strip of land adjacent to the Mersey would retain an element of the countryside at this location. Overall, we consider that there would be moderate harm in relation to this purpose of Green Belt.
198. In terms of the other purposes of the Green Belt, due to the small scale and contained nature of the site, it has very limited functionality in checking urban sprawl of large built-up areas and does not serve to prevent neighbouring towns merging into one another. Bailey's Lane, Hale Road and the Mersey estuary form a readily recognisable and permanent physical boundary to the east, north and south of the site, respectively.

The Need for the Proposed Runway Development

199. In terms of need for the proposed runway development, the airport masterplan predicts a growth in passenger numbers over the period to 2050, reflecting recent trends. The forecast growth would require an operational expansion, including additional runway length (314 metres to create a 2,600 metre runway) and additional starter strips at each end of the runway for safety.
200. In terms of passenger growth, the airport operators have considered the Department for Transport's forecasts, and adjusted for local circumstances, and anticipate potential growth up to 7.8 million passengers per annum (ppa) rising to 11 million ppa by 2050. In the most recent pre-pandemic data, the airport was handling around 5 million ppa making it one of the busiest regional airports in the country. It represents a continuation of an identifiable recent trajectory of growth together with reasonable allowances to accommodate passengers within the airport's catchment that are flying from other airports due to route availability.
201. The impacts of the Covid 19 pandemic have inevitably caused some uncertainty. Initial indications, following the lifting of restrictions seems to point towards a strong demand for tourism and holiday flights, which is the core business at LJLA. However, it was recognised at the Hearing that it may take a couple of years to return to pre-pandemic passenger numbers and for projected growth to occur from that point forward, but would be well within the Plan period to 2037.
202. Overall, in our judgement, it is too early to conclude what the longer-term impacts of the pandemic will be on aviation. Prior to the pandemic there was clear evidence, including the robust York Aviation forecasts, to justify the LJLA masterplan and the approach in Policy CS(R)17. It is therefore difficult to justify leaving the airport, and key investments relating to the airport that are of sub-regional importance to the LCR, pending a Local Plan review.
203. In terms of the evidence to support the proposed runway extension, the York Aviation forecasts include the provision of long haul passenger services. There is some dispute about the realism of a sustainable business model for long haul, including value transatlantic flights and whether such services, depending on the model of aircraft used, would require the extended runway. Clearly additional runway capacity would allow for new passenger services within the wider parameters of clawing back leakage from other airports and maintaining a reasonable competitiveness and future choice at LJLA.
204. The potential of LJLA handling a greater share of the air freight market whether that be freight on longer haul flights, ad-hoc freight services or integrated cargo and logistics can be readily foreseen. Other comparable regional airports (e.g. Newcastle, Doncaster-Sheffield) are in a similar position, where runway size can accommodate the larger aircraft generally used for freight services. The opening of the LCR Superport will increase the potential for further growth in freight traffic at LJLA. Overall, based on the submissions and evidence provided (EL041, pages 30-32; CD041f, including paras 4.1-4.17], we conclude that there is justified need for a runway extension at the airport.

appropriate framework for supporting the operational needs of the airport, including amendments to the Public Safety Zone associated with the expansion of the airport and runway extension.

216. **MM013** is necessary for Policy CS(R)17 to be justified, effective and consistent with national policy, in line with the SoCG with Historic England (PSD03a), in order to ensure that the policy provides an appropriate framework for the protection of the historic environment. It would not be justified to require proposals at the airport in Policy C4 to be in accordance with the ASAS, which is not an examined development plan document. **MM030** would address this by removing the policy requirement for compliance with the ASAS and adding additional supporting text to Policy C4 recognising the objectives of the ASAS and is necessary to ensure that Policy C4 is justified and effective.

Conclusion

217. Subject to the MMs set out above, the Local Plan is positively prepared, justified, effective and consistent with national policy in relation to Liverpool John Lennon Airport.

Minerals

Issue 8 – Whether the Local Plan is justified, effective and consistent with national policy in relation to Minerals?

218. As Halton Borough Council, is a Minerals Planning Authority, the Plan deals with the matter of Minerals (Policy CS(R)25, HE10 and HE11). However, it is not a strategic issue in the Borough which contains only a limited number of small potential mineral sites, some of which are potentially sterilised by existing development. In these circumstances it is appropriate for Mineral Safeguarding Areas and Minerals Areas of Search to be identified.
219. **MM019** is required to ensure that Policy CS(R)25 is effective in terms of assessing the unacceptable adverse impacts on the integrity of geological structures under the Oil and Gas exploration stage of the Policy and more clearly defining in the supporting text the least sensitive locations in which onshore Oil and Gas exploration will be considered. **MM019** is also required to ensure that Policy CS(R)25 is effective by distinguishing between the Mineral Safeguarding Areas and Minerals Areas of Search and more clearly identifying that the criteria in Policy HE11 apply to both exploration and potential extraction of minerals and other subterranean resources.
220. **MM048** is necessary for Policy HE10 to be justified and effective to ensure that the Mineral Safeguarding Areas and Minerals Areas of Search are clearly identified. An additional change has been made in response to MMs consultation to ensure consistent with national policy relating to the approach to safeguarding mineral resources. **MM049** is necessary for Policy HE11 to be effective in order to provide flexibility in its approach, where appropriate, to the restoration of minerals workings and any enhancements required.

Conclusion

221. Subject to the MMs set out above, the Local Plan is justified, effective and consistent with national policy in relation to Minerals.

Natural and Historic Environment

Issue 9 – Whether the Local Plan is justified, effective and consistent with national policy in relation to Natural and Historic Environment?

Natural and Historic Environment

222. Policy CS(R)20 outlines the Council's strategic approach to the natural and historic environment. **MM016** is necessary for Policy CS(R)20 to be justified, effective and consistent with national policy, in line with the SoCG with Historic England (PSD03a), in order to ensure that the policy provides an appropriate framework for assessing the potential impacts of development on the historic environment and local landscape.
223. Policies CS(R)20 and HE1 aim to protect, maintain and enhance international, nationally, regionally and locally important sites and features of the natural environment, ensuring mitigation where appropriate. The HRA of the Local Plan reviewed the approach to the mitigation of development on International Nature Conservation sites which include the Mersey Estuary SPA and Ramsar site, Dee Estuary Special Area of Conservation, Dee Estuary SPA and Ramsar site, Liverpool Bay SPA and Mersey Narrows and North Wirral Foreshore SPA and Ramsar site. **MM016** is necessary for Policy CS(R)20 to be justified, effective and consistent with national policy, in line with the advice from National England, including the SoCG (PSD03d) and their response to the MMs consultation, in order to ensure that the policy provides an appropriate framework for assessing the potential impacts of development on the natural environment and the Internationally protected European sites.
224. The HRA of the Local Plan identified that without appropriate mitigation, planned development (either alone or in combination with development elsewhere) would be likely to have a range of significant effects on a number of protected European sites, or that significant effects could not be ruled out. These include potential effects on the coastal and estuarine plants and species due to the effects of recreational disturbance on the accessible European protected sites on or near the Mersey Estuary and the coastline in the LCR arising from an increased population, and traffic emissions along the M62 adjacent to part of the Manchester Mosses SPA.
225. The HRA identified that appropriate mitigation measures would need to be in place to ensure that the proposed development can take place without a harmful impact on the integrity of the protected European sites.
226. However, Policies CS(R)20, HE1 and their supporting text need to clearly set out the appropriate mitigation measures to address the recreational disturbance on the accessible European protected sites on or near the Mersey Estuary and

Design and Sustainable Development

Issue 10 – Whether the Local Plan is justified, effective and consistent with national policy in relation to Design and Sustainable Development?

246. Policy CS(R)18 outlines the Council's strategic approach to high quality design whilst Policies GR1 and GR2 set out the framework for dealing with the potential impacts of development on the design and amenity. **MM014** and **MM050** are necessary for Policies CS(R)18, GR1 and their supporting text to be justified and effective in terms of ensuring development proposals are sufficiently flexible and adaptable to respond to the environmental needs of the Borough and are consistent with national policy.
247. Policy GR2 deals with amenity. **MM051** is necessary for Policy GR2 to be justified, effective and consistent with national policy in terms of assessing the potential impacts of development proposals on amenity.
248. Policy GR3 deals with boundary treatment. **MM052** is necessary for Policy GR3 and its supporting text to be justified and consistency with national policy in terms of the approach to proposals for boundary fences and walls.
249. Policy CS(R)19 outlines the Council's strategic approach for sustainable development and resilience to climate change whilst Policies GR1 and GR5 sets out the framework for dealing with these matters as part of major development and assessing the potential impacts of renewable energy and low carbon energy proposals.
250. **MM015** and **MM050** are necessary for Policies CS(R)19 and Part 4 of GR1 to be justified, effective and consistent with national policy, in terms of the approach to encouraging sustainable design and construction methods in major development proposals, taking into account site specific viability, and the advice in the National Design Guide and National Model Design Code on achieving resource efficiency and resilience to climate change.
251. Paragraph 7.119 of the Local Plan requires higher energy efficiency standards that are over and above those set out in National Building Regulations. However, there are no local circumstances in Halton to warrant this. **MM015** is necessary for paragraph 7.119 to be justified and effective by making it clear that these standards will be encouraged rather than required in line with Policy CS(R)19.
252. **MM053** is necessary for Policy GR5 to be justified, effective and consistent with national policy in order to ensure that the policy provides an appropriate framework for assessing the potential individual and cumulative impacts of major renewable energy and low carbon energy proposals against the wider benefits of delivering renewable and low carbon energy.

Conclusion

253. Subject to the MMs set out above, the Local Plan is justified, effective and consistent with national policy in relation to Design and Sustainable Development.

Housing allocations

Issue 11 – Whether the proposed housing allocations are justified, effective and consistent with national policy?

Strategic sites

SRL1 Delph Lane West, Daresbury, Runcorn

254. The site is situated to the north-east of Runcorn and to the west of Sci-Tech, Daresbury and it was previously identified as a strategic site in the Core Strategy. It is around 19 hectares and is identified for approximately 295 dwellings reflecting the full planning permission for the site.

255. The site is within the single ownership of a volume housebuilder (other than private residential properties on Delph Lane). It is at an advanced stage of planning and all site constraints have been identified and addressed through technical work.

256. In terms of securing a sustainable pattern of development, the Section 106 obligation for the site (and part of SRL2) covers potential highway improvements including the dualling of the A558 (in part), public transport improvements, public open space, including the creation of a Linear Park and greenways.

257. Following discussion at the Hearing session and subsequent to the MMs consultation, the site capacity of SRL1 is amended to 300 dwellings and **MM022** addresses this point in the interests of effectiveness. The developer confirms that the site is viable and that the first dwellings would be completed on site in 2022 at a rate of around 50 dwellings per annum. Overall, the site is well placed to contribute to a sustainable pattern of development and contribute to housing land supply and is available and deliverable/developable.

SRL2 Central Housing Area, Daresbury, Runcorn

258. SRL2 comprises three main parcels of land equating to around 57 ha of land in total with a notional capacity of around 1000 dwellings. Part of the site - R32 Central Housing Area, between the canal and the railway, was previously identified as a strategic site in the Core Strategy (2013) and is identified for around 255 dwellings.

259. Half of R32 is included in an outline planning application and associated s106 obligation which also covers SRL1 for 550 dwellings, 15,000m² offices, research and development and a local centre. The remainder of SRL2 which lies outside

works which has been operating as a business park for several years providing incubator accommodation for local businesses. The existing owner is developing proposals for the reconfiguration and redevelopment of the site, together with proposals for residential development on R83 to create an innovative, sustainable campus comprising employment, residential and ancillary uses such as small-scale retail to serve local businesses and residents. The campus would be a net zero carbon environment based on a green energy network and innovative concepts such as vertical farming.

354. We acknowledge that the innovative project would have significant regeneration benefits for Runcorn. However, the sites lie entirely within the inner consultation zone of a hazardous installation where the HSE would resist an intensification of any use within the inner zone. The proposed employment, retail and residential uses would attract people to a location which is at the highest public safety risk.
355. We acknowledge that the MUA10 site is in existing use accommodating around 2,500 employees and the Council considers that there would be no intensification of the site; however, without any indication of the scale or mix of the proposals we cannot be certain that this would be the case. Furthermore, the proposal to build 116 dwellings on a currently vacant site at R83 would represent a significant intensification of use.
356. In the absence of cogent evidence to the contrary, development of the sites could result in significant risk to human life. Consequently, we cannot be satisfied that the proposed uses for the sites are acceptable in principle. The deliverability of the proposals is also in doubt given the significant constraints.
357. Consequently, the allocations and proposed uses cannot be supported at this time. **MM022** and **MM036** addresses this point by deleting the allocations from the Local Plan as they are not justified. Consequential changes to the Policies Map are also required.

Conclusion on Issue 11

358. Overall, subject to the MMs set out above, the proposed residential allocations are justified, effective and consistent with national policy.

Issue 12 – Whether the approach towards the supply and delivery of housing land is justified, effective and consistent with national policy?

359. The supporting text to Policy CS(R)3 sets out a housing trajectory which shows how the housing requirement will be met. The table at paragraph 9.4 sets out the sources of supply which will contribute to meeting the requirement on 31 March 2019. It concludes that there was a residual requirement of 3,289 dwellings at this date.
360. At our request the Council produced additional information (HBC PSD016) to: clarify the sources of supply which contributed to the housing supply; update the Exceptional Circumstances paper; and to update the site capacities and delivery

Plan also requires updating in the interests of effectiveness and **MM005** addresses this.

Conclusion on Issue 12

388. Overall, subject to the MMs above, the approach towards the supply and delivery of housing land is justified, effective and consistent with national policy.

Employment allocations

Issue 13 – Whether the proposed employment allocations are justified, effective and consistent with national policy?

Strategic Employment Sites

389. Policies CS(R)4 and ED1 allocate a number of strategic sites for employment uses. These strategic sites are at Sci-Tech Daresbury (SEL1), 3MG, Widnes (SEL2), Widnes Waterfront (SEL3) and West Runcorn (SEL4).

390. Sci-Tech Daresbury is a nationally important Science and Innovation Campus that has significant job growth potential and the logic of selecting this site has not been seriously questioned. However, it was recognised during the Hearings that full-build out of this transformational site would take longer than originally envisaged. A revised jobs growth trajectory has been prepared by the Council together with consultants acting on behalf of Sci-Tech Daresbury that is more conservative, but nevertheless more realistic and achievable during the Plan period.

391. The 3MG site (SEL2) is based within the Ditton Corridor where there is scope for further employment development particularly that associated with logistics and distribution. The slower than anticipated build out rate of the transformational site at HBC Field within the 3MG site (SEL2) is reflected in the revised jobs growth trajectory prepared by the Council and considered to be a reasonable and proportionate approach, based on the evidence provided.

392. Widnes Waterfront (SEL3) and West Runcorn (SEL4) are both areas where previous regeneration initiatives have been undertaken, both are areas which benefit from the opening of the Mersey Gateway Bridge and both are suitable for a mix of employment uses. While these areas, together with the 3MG site (SEL2), are close to the river, none of them suffers from insurmountable flooding problems and based on the evidence before us, we are satisfied that these Strategic Employment Sites will come forward for employment uses during the Plan period.

Non-strategic Employment sites

393. Two of the proposed non-strategic sites would involve alterations to Green Belt boundaries and are located at Land off Six Acre Lane (ED1/E28) and Land West of Moore Meadows (ED1/E29).

394. The sites make a modest contribution of some 6.69ha which has been presented in the Plan as part of the adjoining allocations to the Manor Park Employment area. The sites form part of a patchwork of open pasture fields, woodland and scrubland bounded by Moss Lane to the east and the employment uses to the west. Moss Lane forms a readily recognisable and permanent physical boundary to the east. Accordingly, whilst there would be a loss of openness, development would not represent unrestricted sprawl, there would be no merging with nearby settlements and the local highway network would prevent encroachment into the wider countryside to the east.
395. The Green Belt Review identifies the parcels of land (GB265 & GB424) proposed for allocation as performing only a partial contribution against the purposes of Green Belt. Furthermore, other sites assessed to the east of Runcorn performed more strongly in relation to Green Belt purposes than the site allocation.
396. In terms of securing a sustainable pattern of development, the sites would be well-related to services and facilities, including bus services into Runcorn. Part of sites E28 and E29 are within Flood Zones 2 and 3. The Environment Agency confirms that the proposed employment allocations are acceptable in principle and no further detailed Strategic Flood Risk Assessment are required (Council's response to Inspectors Initial Questions (EX08) and Statement of Common Ground (PSD03b)).
397. Part of the sites are covered by a Nature Improvement Area and the Core Biodiversity Area in the LCR Ecological Network. There are a number of Local Wildlife Sites (LWSs) located adjacent to the sites. The presence of the LCR Ecological Network and the proximity of the LWSs would not preclude development and there are no reasons why the habitats and any protected species cannot be addressed through other policies of the Local Plan.
398. Overall, sites E28 and E29 are well placed to contribute to a sustainable pattern of development and would make an important, albeit modest, contribution to the supply and choice of employment sites available. The sites would help deliver the employment land requirement in the Borough and provide a reasonable degree of flexibility in supply to accommodate changing circumstances, such as the non-delivery of any of the sites. Compensatory improvements can be made through improvements to the environmental quality of the area. These are balanced against the general absence of any specific and significant physical and infrastructural constraints and the partial contribution to the purposes of Green Belt. No neighbouring authority is able to meet any of Halton's employment needs. Consequently, given the clear necessity to meet the future need for employment land in the Borough and the lack of sufficient alternatives, we accept that there are the exceptional circumstances to justify altering the Green Belt boundary in this location and allocate the sites.
399. Policy ED1 allocates a number of other sites for employment uses. These are required to ensure an adequate supply of employment land and a good range of sites. In all cases the sites identified in Policy ED1 are subject to detailed policy requirements in the Plan which would ensure suitable landscaping and screening where appropriate and address a range of other matters such as

flood risk, ecology, vehicular access and improvements to the wider highway network.

400. A number of the sites are within the HSE consultation zones of a hazardous installation or will have local flood risk, contamination, biodiversity and heritage considerations, including the setting of the Bridgewater Canal, and as such mitigation would be required in accordance with other policies of the Local Plan. In our view, the Council's approach appears to be both reasonable and proportionate, and all of the site allocations put forward for employment uses are considered to be deliverability during the Plan period.
401. **MM020** amends the description of the uses proposed on each of the employment sites in Policy ED1 and its supporting text to reflect the new Use Classes Order, as well as modifying the employment site at 3MG (East) Foundry Lane (ED1/E26) to reflect the up to date situation regarding the site area. This MM is necessary to ensure that Policy ED1 and its supporting text is justified, effective and consistent with national policy.

Conclusion

402. Subject to the MM set out above, the Employment allocations are justified, effective and consistent with national policy.

Issue 14 - Whether the proposed Halton centre allocations are justified, effective and consistent with national policy?

Retail and Town Centre Allocations (Policy HC1)

403. A number of town and local centre allocations are proposed to meet the retail requirement set out in Policy HC1.
404. TC1 and TC2 are proposed for retail and leisure uses within Runcorn Old Town in order to support the regeneration of the town which has suffered since the establishment of Halton Lea 'Shopping City'. TC1 would utilise a vacant site to the forefront of the Brindley Theatre and will come forward as part of a wider 'Canal Quarter' redevelopment. There is scope to rationalise or replace the existing bus station and 'Island Building' to free up a retail site to anchor the centre. Both sites would be brought forward as part of a public, private partnership led by the Council as part of a wider regeneration scheme.
405. Several sites (TC5, TC7 and TC8) are proposed for mixed retail, leisure, office and residential use within Halton Lea centre. The sites are previously developed with former civic buildings remaining on site. The sites have good access to public transport and there are proposals by the Council to improve accessibility across the centre for pedestrians and cyclists. Redevelopment of the sites would be private sector led.
406. Two sites are proposed in Widnes Town Centre (TC3, TC9) to enhance the retail offer. TC3 would represent an extension of the Widnes Retail Park by redeveloping the bingo hall and garage to create an extended run of larger retail

units along the north of the site. TC9 would be part of a wider regeneration of the Albert Square shopping area on a slightly larger footprint incorporating the car park. The whole of the site is in private ownership and any development is likely to be private sector led.

407. Three local centres are also allocated for development to support existing and emerging communities. TC6 Sandymoor Local Centre will serve the new development at Sandymoor and has commenced construction. A local centre is proposed at West Bank, South Widnes to serve a neighbourhood which is at risk of housing market failure and to support regeneration efforts.
408. TC10 Daresbury Local Centre is proposed to provide services for the new residential community and also to serve the needs of the adjacent employment centre. It is included in an outline planning application for residential development for 3,000m² of local centre. The land is set aside for retail and would be subject to a separate application to bring the site forward. The viability of the proposed local centre has been questioned, particularly given the proximity of Sandymoor local centre. However, Sandymoor local centre is not within walking distance of the Daresbury developments. Furthermore, it is anticipated that demand would be generated when the residential and employment development is delivered.
409. Overall, the proposed allocations are justified, effective and consistent with national policy.

Mixed Use Areas (Policy HC9)

410. Some areas of the Borough do not have a single dominant land use, with a variety of development having grown up including businesses, shops, houses and community facilities. Many of the areas are in existing use or have vacant sites within them or sites which may come forward in the future. Policy HC9 does not allocate sites for specific uses; rather it is a development management policy which seeks to provide guidance as to the type of uses that would be acceptable in broad areas defined on the Policies Map. Some of these areas may be in transition, where a previous use is declining, and alternative uses are being established. Overall, the policy provides a flexible approach to the development of sites in the urban area, enabling an effective transition to new uses and aiding regeneration efforts. Sites MUA1-MUA7 and MUA9 within the urban areas of Runcorn and Widnes are justified. MUA10 is considered at paragraphs 298-303 above.
411. *MUA11 Daresbury Park* is within the consented business park at Daresbury. Part of the business park is now being proposed for residential use and the intervening section between R84 and E9 allows flexibility for the site owners to respond to the market for either residential or employment use. The site would provide a zone of transition between the employment use at E9 and the residential use. An application covering sites R84, E9 and MUA11 including residential, employment and small-scale retail, is being considered by the Council. We consider that the proposed uses for the site are acceptable in principle. However, a change is required to Policy HC9 to reflect the new Use Classes Order and **MM036** addresses this point in order to effective.

412. Overall, subject to the MM above the mixed use areas are justified, effective and consistent with national policy.

Education allocations (Policy HC10)

413. EDU1 Sandymoor is allocated for a primary school as identified in the original masterplan for Sandymoor. It is included in a s106 agreement covering the area and the land can be transferred to the education authority should it be required in the future. EDU2 is identified for an SEN school. The project is being led by the Department of Education together with St Helens Council and is at an advanced stage. A planning application is anticipated soon, and a contractor has been identified for the project.

414. EDU3 is proposed for a primary school within the Green Belt at Halebank where the Council has identified the need for a school to serve the proposed development. Whilst Halebank Primary has recently been redeveloped, it lies within the middle consultation zone of a hazardous installation and so has no scope to add any additional capacity at its existing site. Consequently, EDU3 is reserved in case the school age population in Halebank increases sufficiently to warrant additional local educational provision.

415. The site does not narrow the gap between Hale and Halebank and would contribute towards rounding of the settlement. It has a significant level of visual encroachment from surrounding development. Compensatory improvements would be delivered as part of the wider residential development. The wider Green Belt parcel is identified as making a moderate contribution to Green Belt purposes overall. The need for additional education facilities would be likely to arise from the proposed residential development. Given the strategic housing requirement and the restrictions on the current school site we consider that exceptional circumstances exist for the release of the land from the Green Belt.

416. Furthermore, the site is not identified as supporting habitat for the Mersey SPA and educational use would not conflict with the conservation objectives. Overall, the education allocations are justified, effective and consistent with national policy.

Conclusion on Issue 14

417. Subject to the MM set out above, the Halton Centre allocations are justified, effective and consistent with national policy.

Issue 15- Whether the proposed Gypsy, Traveller and Travelling Showpeople allocations are justified, effective and consistent with national policy?

418. Policy RD2 allocates Sites GT5 and GT7 as Gypsy and Traveller sites to afford some protection to their continued use and to allocate an extension to GT1 at Warrington Road, Runcorn (GT6). Site capacities are based on the now withdrawn Government Guidance on Designing Gypsy and Traveller sites.

419. GT6 Warrington Road (extension) represents an extension of the existing site GT1, Canalside. Whilst the site is a greenspace designation in the UDP it serves no public open space function at present. The site may have low-level contamination due to the proximity to the Manchester Ship Canal; however, this can be addressed as part of any planning application. Part of the site adjacent to the canal is within flood zone 3 and part in flood zone 2. However, additional flood modelling has been undertaken for the canal which shows that the extent of overlap with those sites has been reduced. Furthermore, there is potential to raise the site to take parts out of the flood zone. Nevertheless, the capacity of the site has been reduced from 12 pitches to 9 pitches in recognition of the revised flood risk maps. Further to consultation on the Main Modifications, the site area has been slightly revised to more accurately reflect the extent of Flood Zone 3 and this is shown on the additional revisions to the Policies Map. **MM023** addresses these points for the policy to be effective and consistent with national policy.
420. The site is in private ownership and the owner's preferred use is for employment given its location adjacent to the industrial estate. Whilst the availability of the site is in question, the Council have confirmed that it would negotiate and if necessary, use its compulsory purchase powers to bring the site forward taking account of its statutory duty.
421. Furthermore, it is logical to consolidate the existing Gypsy and Traveller use at Warrington Road which would assist site management enabling the shared use of existing facilities. Moreover, the existing use is established and there is no conflict with surrounding uses. Funding sources from Homes England could be utilised to facilitate the provision of the extension. Whilst the above issues would take some time to resolve the site would not be required immediately. Overall, we consider that the allocation is justified, effective and consistent with national policy.

Conclusion on Issue 15

422. Subject to the MMs set out above, the Gypsy, Traveller and Travelling Showpeople allocations are justified, effective and consistent with national policy.

Issue 16 – Whether the land proposed for safeguarding is justified, effective and consistent with national policy?

Safeguarded sites-Daresbury: SG2; SG4 and SG9

423. Land to the east of Daresbury village is proposed as safeguarded land (SG2; SG4; SG9). The sites demonstrate strong countryside character and are only partially contained with less than 50% adjacent to the urban area. Development of the sites would reduce the gap to Warrington at this point; however, it would remain more than 3km. Site SG2 has limited visual encroachment, with most views open or with built development absent or well-screened. Sites SG4 and SG9 have some visual encroachment with views at certain points of the sites

overlooked by development. Overall, the sites make a moderate contribution to the openness and purposes of the Green Belt.

424. The western boundaries of the sites are weak to moderate formed by boundary treatment to the rear of residential gardens at some points and hedgerows and intermittent trees. The eastern and southern boundaries which would form the new Green Belt boundaries are weak to moderate at present formed by hedgerows which are patchy in parts and intermittent trees. Whilst there would be potential to strengthen these boundaries with landscaping, this would take many years to establish. Consequently, a stronger, more logical and defensible boundary in this location is the A56, Chester Road bypass.
425. The Council seek to justify the release of housing land in this location based on the contribution it would make to future housing land supply at a strategic level; however, the village only has around 40 houses and so locally arising need would be extremely limited and could be met through infill development within the village.
426. Whilst not referred to in the Council's exceptional circumstances paper the Council explained at the Hearing sessions that the exceptional circumstances also relied upon the ability of the land to assist in addressing parking problems at the school and in relation to the safeguarded sites to provide playing pitches for the school. However, the car park and playing fields could be provided on land without the provision of housing and there is no firm evidence before us to demonstrate that the bus service would definitely return. Consequently, we do not consider that these factors justify the exceptional circumstances required to release the land from the Green Belt in this location.
427. Accessibility considerations are the same as for site D1. Furthermore, whilst the safeguarded sites are not proposed for development at present the cumulative effect of any proposed development of D1 and the safeguarded sites on the linear character of the village and the Conservation Area would be a very important consideration. In particular, SG4 is situated in close proximity to the Grade II * listed Church of All Saints (within 50m of the site boundary). The effect of any development on the setting of the Church would also be a very important consideration.
428. In conclusion, the exceptional circumstances do not exist for release of this land from the Green Belt. **MM055** addresses this point to be consistent with national policy. A consequential amendment to the Policies Map is also necessary (PMM01).

Safeguarded Land-Preston-on-the-Hill: SG1, SG3, SG5, SG7 and SG8

429. Preston-on-the-Hill is a small linear village, overlooking the larger settlement of Preston Brook. The settlement is proposed to be taken out of the Green Belt and identified as a Primarily Residential Area in recognition of its relatively dense urban form which does not contribute to the openness of the Green Belt. An opportunity exists to develop a partially previously developed site (P1) to the west of the village and a site (P2) between the A56 and the M56, both of which

make only a limited contribution to the Green Belt. Together, these sites make a logical urban extension to the village.

430. A number of safeguarded sites are proposed to the south and east of the village. The release of these sites from the Green Belt would result in breaching existing strong Green Belt boundaries of the M56 and the railway line. However, significant development at Preston Brook and the Whitehouse Industrial Estate have already breached the M56 and the built form of Preston-on-the-Hill exists beyond the railway line and the canal.
431. The proposed sites are adjacent to the urban area of Preston Brook and the Whitehouse Industrial Estate and are therefore, partially contained. Sites SG5 and SG8 are only identified as making a partial contribution to the Green Belt, whilst SG7 and SG1 make a moderate contribution to the Green Belt.
432. Parts of the north-eastern boundary of SG7 and SG8 formed by field boundaries are weak; however, the creation of an access road off the A56 provides the opportunity to create a strong, defensible boundary. Furthermore, there is potential to create a link road from Junction 11 of the M56 to the A533 to the south which would have wider benefits for the road network. The link road would also provide opportunities to connect to existing bus routes, footpaths and cycle routes and improve sustainable transport modes. The link road is at the business planning stage and whilst not in the delivery schedule of the IDP it is referred to in the supporting text.
433. The sites are situated close to the local centre in Preston Brook which comprises a convenience store and post office. Opportunities to improve access to education and health facilities in Murdishaw and Sandymoor would need to be carefully considered.
434. The existing settlement of Preston-on-the-Hill would be surrounded by future development. However, the village is not a Conservation Area and given the scale of the sites, opportunities would exist to set development back to maintain a degree of separation in order to protect the linear core.
435. Whilst the sites have some constraints, it is apparent that those can be addressed as part of any detailed scheme and would not preclude or unduly constrain future development. The sites have a willing landowner and a housebuilder is involved with site SG8 and part of SG7. Consequently, there is no reason to doubt that the sites would be available for development in the future.
436. In summary, Map 12a of the Green Belt Study clearly shows that this location performs less well in terms of the contribution it makes to Green Belt openness and purposes. Furthermore, Preston-on-the-Hill is situated in one of the largest gaps between settlements in comparison to other locations.
437. Overall, we consider that the safeguarded sites in the broad location of Preston-on-the-Hill have the potential to form a logical strategic extension to meet future development needs beyond the Plan period. Given the future housing and employment needs of the Borough and the lack of alternative sites we consider

that the exceptional circumstances exist to release the sites from the Green Belt.

Safeguarded Sites, North Widnes: SG10 Pex Hill; SG12 Notcutts Garden Centre.

438. Two sites are proposed as safeguarded land to the north of Widnes. SG10 Pex Hill is situated to the north of the A5080 and the west of Norland's Lane and is around 17 hectares. The smaller parcel of land comprises of a paddock, whilst the larger parcel is in agricultural use.
439. Around 50-70% of the boundary of the larger parcel of land is adjacent to development and so is largely contained. The site is within one of the narrower gaps between settlements and its development would reduce the gap from Widnes to Cronton and Widnes to Rainhill; however, there is already intervening development and it would not lead to the merging of settlements. Whilst the boundary strength on the north and eastern boundaries is weak, these could be strengthened through landscaping and an access road may strengthen the northern boundary. Whilst in isolation the boundaries of the smaller parcel of land are identified as weak; the site would be developed as part of the wider parcel of land and would not, therefore, form a Green Belt boundary. Furthermore, there is potential for off-site compensatory improvements.
440. Given the strategic future housing need for in the Borough and in particular in relation to need in the Widnes area taken together with the relatively contained nature of the site, we consider that exceptional circumstances exist to release the site from the Green Belt for future need.
441. In terms of creating sustainable patterns of development, there is potential to improve accessibility to services through connections to local bus services; footpaths and cycleways in addition to the Pex Hill Nature Reserve.
442. Some concern surrounds the access onto Cronton Road, due to the potential conflict with movements associated with the college; however, it is considered that those concerns could be resolved. Other identified constraints are deemed to be resolvable in the longer term through the consideration of a detailed planning application. The site is available and there is interest in the site from housebuilders. Consequently, there is no reason to doubt that the site would come forward in the future.
443. SG12 Land adjacent to Notcutts Garden Centre is situated to the north of an existing garden centre on the northern edge of Widnes and is around 4.17ha of land with a potential capacity for around 101 dwellings.
444. The site is adjacent to the urban area, but with less than 50% of the boundary adjacent to development and so is partially contained. The site would have a limited impact on the gap between settlements. The site has a strong boundary to the east formed by Twyford Lane and to the west by the former railway line. There is potential to strengthen the northern boundary on the site. Overall, the site makes a moderate contribution to Green Belt purposes.

445. There are opportunities to improve the Greenway which runs to the northern edge of the expressway as part of compensatory improvements to off-set the loss of Green Belt land. Given the strategic future housing need in the Borough and in particular in Widnes, we consider that the exceptional circumstances required to release the site from the Green Belt exist.
446. In terms of creating sustainable patterns of development, the site is within 300m of a bus stop and within a reasonable distance of a supermarket. There is an existing access onto Mill Lane and a secondary access would be required on Tyford Lane. There are opportunities to improve pedestrian links via the Greenway and also as part of the wider development of North-East Widnes.
447. The land is within a single ownership and available has been subject to sub-market testing. There is nothing to suggest that the site would not come forward in the next Plan period.

Safeguarded Sites, Halebank: SG11 Land at Hale Gate Road; SG13 Land to the south of Hale Bank Road

448. SG11 Land at Hale Gate Road is situated to the rear of existing residential properties on Hale Gate Road and to the west of Pickerings Pasture, a local wildlife site. It is around 22ha and is currently in agricultural use. A wastewater treatment works is situated to the south-east of the site.
449. The site is adjacent to the urban area, but with less than 50% of the boundary adjacent to development and so is partially contained. The site would contribute to the rounding of settlements and would have limited impact on the gap between Halebank and Hale. The southern boundary of the site is strong, formed by the access road to the waste-water treatment works. The eastern boundary is also strong, formed by a woodland belt for the most part. Whilst the western boundary is weak this would not form an outer Green Belt boundary in any event.
450. Overall, the main parcel of land is identified as making a moderate contribution to Green Belt purposes whilst the smaller parcel to the rear of Mersey View Road is identified as making a partial contribution to Green Belt purposes. Given the strategic future housing need in Widnes together with the limited Green Belt harm and the lack of alternatives we consider that exceptional circumstances exist to release the site from the Green Belt.
451. The capacity of the site is constrained by the proximity to the wastewater treatment works due to the potential noise and odour. A pipeline traverses the site, and the site is at potential risk of flooding from surface water. It is considered that these can be overcome through technical solutions in the longer term and by focussing development on the northern part of the site which would contribute to the rounding of the settlement.
452. The southern part of the site is more heavily constrained and could be used to create a standoff with the wastewater treatment works and provide compensatory improvements with linkages to the existing greenspaces and footpaths.

453. Provision of on-site greenspace and recreation would also off-set any potential impact on the SPA in combination with contributions in line with the Interim Recreation Mitigation Strategy. Initial survey work has not identified the site as being functionally linked land; however, there would be the requirement for additional survey work.
454. There is sufficient capacity within the road network and while not straightforward, access issues are not insurmountable. Services and facilities are available in Halebank. A developer has an option to develop the site and so there is no reason to doubt that the site is available and developable in the longer term.
455. Main modification **MM055** is required to reflect a reduced site area taking account of the need for a stand-off from the waste-water treatment works for the Policy to be effective. A corresponding change to the Policies Map to show the reduced boundary along the edge of the site with the adjacent waste-water treatment works is required and formed part of an additional consultation on the Policies Map.
456. SG13 Land to the south of Hale Bank Road is situated to the south of the village and to the west of the proposed allocation W24. The site is adjacent to the urban area, but with less than 50% of the boundary adjacent to development and so is partially contained. The development of the site would reduce the gap between the western edge of Widnes and Liverpool and the southern edge of Halebank and Hale; however, sufficient separation would remain.
457. Due to the nature of the landscape, there is a lack of physical features which makes it difficult for any allocation to reflect strong boundaries on the ground, particularly on the south and west boundaries which would need to be strengthened through structural planting. The Green Belt Study identifies that the site makes a moderate contribution overall to Green Belt purposes. Given the future housing need and a lack of alternatives we consider that exceptional circumstances exist to release the site from the Green Belt.
458. The site is situated in close proximity to the Hale Bank Conservation Area (HBCA), the significance of which derives from its linear nature. Given the size of the proposed sites there would be the opportunity to set development back from the HBCA in order to protect the linear core of the village. Retaining important views through gaps in the frontages of the village to the open land beyond would help to avoid the perception of depth.
459. There are no identified constraints which could not be overcome, and the developer has confirmed that the site is available. Consequently, there is no reason to doubt that the site would come forward in the future.

Conclusion on Issue 16

460. Subject to the MMs set out above, the land proposed for safeguarding is justified, effective and consistent with national policy.

Issue 17 – Other matters

461. There are a number of other parts of the Local Plan that need to be modified to ensure soundness.
462. **MM001**, **MM002** and **MM018** are required in the introduction to the Local Plan as well as Policy CS(R)22 and its supporting text to reflect the new Use Classes Order, so the Local Plan is effective and consistent with national policy.

Infrastructure Provision, Implementation, Monitoring and Viability

Issue 18 – Whether the Local Plan is justified, effective and consistent with national policy in relation to Infrastructure Provision, Implementation, Monitoring and Viability?

Infrastructure

463. The Council has worked closely with a range of other organisations to identify key infrastructure requirements and a programme for delivery and these are set out in the Infrastructure Delivery Plan 2020 (IDP). There is a clear commitment to keep this under review. The IDP sets out clearly the specific infrastructure requirements for the Strategic and individual site allocations. The Council has also been active in pursuing funding opportunities to bring forward improvements to infrastructure such as for strategic highway and junction improvements and flood alleviation schemes.
464. **MM008** is necessary to Policy CS(R)7, in line with the SoCG with the Environment Agency (PSD03b) and SoCG with Natural England (PSD03d), to ensure that development proposals are supported by the timely provision of an appropriate level of infrastructure, including water supply and treatment and flood defence, in consultation with the relevant infrastructure/ service providers. In addition, the working arrangements with the infrastructure providers on the IDP is moved to the supporting text and the reference to the pooling of developer contributions is removed in light of the latest changes to the Community Infrastructure Levy Regulations. This MM is necessary to ensure that Policy CS(R)7 and its supporting text is justified, effective and consistent with national policy.

Implementation

465. The Local Plan takes a pragmatic and realistic approach to developer contributions given the issues in terms of viability. Policy CS(R)7 gives sufficient flexibility to allow for viability to be taken into account.
466. Policies CS(R)21, HE4, HE6 and HC5 sets out an appropriate approach to green infrastructure as well as social, sports, recreation and community infrastructure and facilities.

Monitoring

467. **MM057** and **MM058**, which would amend the Local Plan Monitoring Framework in Appendix G to take account of the non-strategic policies and other MMs, are necessary to ensure that there would be clear and effective mechanisms to monitor the implementation of the Local Plan. Additional changes have been made in response to MMs consultation to address the effectiveness of the monitoring indicators and targets, including those relating to Policies CS(R)1, CS(R)20, HE2, HE4, HE10 and HE11.

Viability

468. A Whole Plan Viability Assessment (HDH, 2019) (WPVA) [SD04] was submitted alongside the Local Plan. The WPVA has been subject to consultation at various stages and the points raised were addressed and considered in the report. There is some dispute over inputs to the assessment including the base assumption unit s106 costs, benchmark land values, abnormal development costs and developer's profit. However, undertaking a WPVA is not an exact science there will always be an element of judgement in applying assumptions and reaching conclusions. From everything which I have read, and the evidence given by HDH at the examination, I find the methodology used and the inputs applied to be grounded in recognised data sources.

469. Furthermore, whilst detailed assumptions were challenged by developers, they, nevertheless, agreed at the hearing session on viability that overall, the Local Plan is viable. Indeed, developers were keen to emphasise at the hearing sessions on site allocations that their specific sites were viable.

470. The WPVA recognises that viability differs across the site typologies and that a blanket 25% affordable housing target across the Borough would not be deliverable. Strategic sites are likely to have higher infrastructure costs and a lower net developable area, and this is reflected in the lower percentage target of 20% on these sites. Smaller greenfield sites are the least constrained and can, therefore, support a higher requirement of 25%. Affordable housing is not sought on brownfield sites in recognition of challenging viability issues associated with these sites. Main Modifications to CS(R)13 have been made to ensure that the policy is applied flexibly to reflect viability issues. Similar adjustments have been made to open space policies to reflect viability.

471. Overall, the WPVA demonstrates that the cumulative requirements of the Plan would not undermine the delivery of the strategy of the plan by threatening the viability of development. Consequently, the plan would be consistent with paragraph 34 of the NPPF and paragraphs 001-006 and 029 of the NPPG.

Conclusion

472. Subject to the MMs set out above, the Local Plan is justified, effective and consistent with national policy in relation to Infrastructure Provision, Implementation, Monitoring and Viability.

Overall Conclusion and Recommendation

473. The Local Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

474. The Council has requested that we recommend MMs to make the Local Plan sound and legally compliant and capable of adoption. We conclude that the duty to cooperate has been met and that with the recommended MMs set out in the Appendix to this Report, the Halton Delivery and Allocations Local Plan 2014-2037 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

Caroline Mulloy and David Troy

Inspectors

This report is accompanied by an Appendix containing the Main Modifications.