

<b>APPLICATION NUMBER: PROPOSAL:</b>	<b>P/2020/0061/HYBR Hybrid Planning Application for the following development (major development); (i) Full Planning Permission for the erection of a B8 logistics warehouse, with ancillary offices, associated car parking, infrastructure and landscaping; and  (ii) Outline Planning Permission for Manufacturing (B2) and Logistics (B8) development with ancillary offices and associated access infrastructure works (detailed matters of appearance, landscaping, layout and scale are reserved for subsequent approval).</b>
<b>LOCATION:</b>	<b>Land To The West Of Omega South &amp; South Of The M62 Bold St Helens</b>
<b>WARD:</b>	<b>Bold</b>
<b>APPLICANT:</b>	<b>Omega St Helens Ltd/T.J. Morris Limited</b>
<b>CASE OFFICER:</b>	<b>Jennifer Bolton</b>
<b>RECOMMENDATION:</b>	<b>Grant Planning Permission subject to the conditions, completion of an agreement under section 106 of the Town and Country Planning Act 1990 and the Secretary of State not wishing to intervene</b>

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## **1. APPLICATION SITE**

- 1.1 The application site consists of 75 hectares (ha) of predominantly arable farmland. There are also small woodland blocks throughout the site linked by hedgerows along with ditches and small ponds. The application site is 0.5m and 2.5m lower than the M62 motorway which borders the north of the site and whilst the application site does appear flat, it slopes gently decreasing by 6 metres from the northwest to the southeast of the site.
- 1.2 An overhead electricity distribution lines run 150 metres into the application site from the north east corner to a pylon before splitting into two sets of overhead lines.
- 1.3 A designated as main river, Whittle Brook, runs from the north-south of the application site. A second watercourse known as 'Barrow Brook' crosses the north east corner of the site.
- 1.4 In terms of boundaries, there is a tall hedgerow which runs along the majority of the eastern boundary. The northern boundary is a timber post-and-rail fence, behind which is an intermittent widely-spaced row of trees growing in the motorway verge.
- 1.5 A track runs north-south across the western sector of the site to a bridge that rises over the M62 to give access to fields on the north side of the motorway. This is a private access only for the farm.
- 1.6 A public right of way (PRoW), number 102, crosses the application site in the north west and runs north to south via a footbridge over the M62.

- 1.7 The application site falls within the Green Belt and within the Bold Forest Area Action Plan boundary. It is greenfield. Part of the site (approximately 31 ha) is proposed to be allocated in the St Helens Borough Local Plan Submission Draft (2019).
- 1.8 The application site is bound to the north by the M62 between Junction 7 and 8, with arable land located beyond. To the east of the site is Omega Business Park and Lingley Mere Business Park. To the south and west is farmland. Immediately beyond the south-west boundary is Booth's Wood which has been designated as a Local Wildlife Site (LWS) and Duck Wood and Finch's Plantation to the south.
- 1.9 Mersey Valley Golf & Country Club and the residential area of Lingley Green are also located south of the proposed development. There are several residential areas surrounding the application site, including Lingley Green (370 m south east), Clock Face (1 km north west), Bold Health (1.5 km south-west) and Westbrook (1.8 km east).
- 1.10 The main access to the application site is via Skyline Drive and Catalina Approach through the existing Omega Business Park, with direct access from the M62 Junction 8.

## **2. PROPOSAL**

- 2.1 This application has been made as a hybrid, meaning that it seeks full planning permission for some elements, and outline planning permission for others. In total, the floorspace proposed within the red line totals 205,500 square metres (sq.m) (circa 2,210,500 square feet (sq.ft)). It is proposed that there will be a 30% B2 / 70% B8 split within this total floorspace.

### **Full Planning Permission**

- 2.2 Full planning permission is sought for the erection of one B8 use class (storage and distribution) logistics warehouse, referred to as unit 1. Unit 1 would comprise of a 77,084 sq.m (829,725 sq.ft) warehouse with 4,486 sq.m (48,287 sq.ft) of ancillary office development, comprising of a 3-storey structure providing main reception / staff facilities / goods in and transport office to form an overall total 81,570 sq.m (878,012 sq.ft) covering a site area of approximately 35 ha. The unit has an identified end user, TJMorris/Home Bargains.
- 2.3 The unit 1 warehouse would have a rectangular shape and would be sited 86 metres south of the M62 running parallel to it. The eastern end of the warehouse would be used for housing high bay racking and would have a height of 36 metres to the eaves and 41.6 metres to the top of the curved apex roof. The western end of the warehouse would be used for storage packing and would have a height of 24.8 metres to the eaves and 29.4 metres at the top of the curved apex roof. The warehouse would have horizontal cladding in white, grey and blue colours. The northern elevation of the warehouse, facing the M62, would have rows of dock loading doors whilst the office would be sited on the southern elevation.
- 2.4 A car park containing 576 parking spaces, including up to 35 disabled spaces, 48 motorcycle, 156 cycle spaces and provision for up to 39 electric vehicle spaces would be provided to the south of the site. A service yard with 360 HGV / trailer parking spaces would be provided around the periphery of the site.
- 2.5 Within the service yard area along the northern boundary, there would be a metal framed vehicle wash with indicative measurements stating it would measure 7 metres wide, 24.5 metres long and 6.3 metres tall. There would be a fuel island which would measure 4 metres wide, 16 metres long and 4 metres high. There would be 2no. sprinkler tanks and 1no. hydrant tank indicatively ranging from 8 to 12 metres in height. The pump house would measure 15 metres by 8 metres with a height of 4 metres. There would be a primary sub-station in the south west corner of the site which is shown to measure 3.7 metres high, 20 metres wide by 13 metres deep, along with refrigeration and transformer units to the side of the building.
- 2.6 In terms of landscaping, a cut and fill operation is proposed to level the site. An area of approximately 7 ha of landscape and ecology mitigation is proposed in the north west corner of

the application site immediately south of the M62. It is referred to as the 'Green Wedge' by the applicant. This area would contain trees and shrubs and sustainable drainage (SUDs) basins for the site drainage. Landscaping in the form of shrubbery and SUDs is also proposed along the northern boundary.

- 2.7 An area of 'expansion land' is identified adjacent to unit 1 although it forms part of the application for outline planning permission. Within the north west corner is Barrow Brook which the applicant proposes to divert to run along- side the M62.
- 2.8 The proposed development would be accessed from the east via an extension to the existing Omega South internal road known as Catalina Way. Cataline Way falls within Warrington Borough and connects to Skyline Drive (A5280) which then provides a direct link to Junction 8 of the M62.
- 2.9 At the entrance to the application site there would be a new roundabout to provide access to both unit 1 and the outline application site. A pedestrian and cycle route would run through the centre of the application site, south of the car parks associated with unit 1, towards Booth's Wood and continue west through the landscape and ecology mitigation buffer area before connecting with the existing M62 overbridge.

### **Outline Planning Permission**

- 2.10 Outline planning permission is sought for a combination of B2 manufacturing and B8 logistics to the remaining application site. Access has been brought forward as a detailed matter to be considered here (given that the majority is shown within the full planning site). All other matters such as landscaping, layout, appearance and scale have been reserved for future approval.
- 2.11 The masterplan shows that there are two areas to the outline element. The first is the land to the south of the site, which shows an indicative layout of three warehouse buildings (units 2, 3 and 4). The applicant explains that this indicative layout is not prefaced on any identified market demand beyond the accepted need for large-floorplate developments. It is likely to be subject to change based on occupier demand.
- 2.12 The second area is the land to the east which the applicant states is to be used for potential future expansion land for the occupier of unit 1.
- 2.13 The applicant states that they envisage that the outline part of the application site will be capable of accommodating up to 123,930 sq.m (1,333,9710 sq.ft) of employment development, spread across the unit 1 expansion land and three separate warehouse buildings to the south (units 2, 3 and 4).
- 2.14 The maximum building heights for Units 2 – 4 are not known given the outline nature of the proposals for this part of the application site. However, for the purposes of the Environmental Impact Assessment, a building height of 19 metres to the ridge has been stated.
- 2.15 As layout is a reserved matter, but floorspace needs to be considered, the applicant is proposing a minimum floorspace size for each unit of 27,870 sq.m.
- 2.16 The applicant proposes to divert the main river 'Whittle Brook' from the centre of the site to along the south west boundary of the site. The location has been indicatively shown on plans and the parameters set out. The exact location will require a separate planning permission.

### **Supporting Information & Documentation**

- 2.17 The application is accompanied by the following information:
  - Planning Statement
  - Design & Access Statement
  - Alternative Sites Assessment Study

- Environmental Statement Non-Technical Summary
- Environmental Statement
- Amendments to Environment Statement

This report contains a summary of the submission, but a full copy is available for review on the Council's website.

- 2.18 The proposed development is a schedule 2 development under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 and an Environmental Statement (ES) accompanies the application. The ES assesses the following matters: air quality, noise and vibration, cultural heritage, biodiversity, landscape and visual impact, water, transport, major accidents and disasters, lands and soils, population and health, climate, and cumulative effects. The cumulative impact of developments are stated with respect to noise, air quality and traffic.
- 2.19 The applicant's case for the planning merits of the development is presented in their Planning Statement. This report will set out the applicant's case for the planning merits of the development based upon the content of these reports and then present a summary of other principal matters.

### Planning Statement

#### ***Green Belt***

- 2.20 The applicant's Planning Statement acknowledges that the proposed development represents a form of 'inappropriate development' within the Green Belt and that new development should not be approved "except in very special circumstances". An assessment of the harm caused to openness, permanence and the purposes of including land within the Green Belt is summarised below.

#### *Harm to Green Belt Purposes*

- 2.21 The applicant refers to the findings of the St Helens Green Belt Review (December 2018) which assessed the relative contribution that different parts of St. Helens make to the purposes of Green Belt. They argue the review identified part of the application site (in line with the proposed allocation in the new Local Plan) as a site with the potential for development in a location that contributes least to the purposes of the Green Belt. The overall findings were that the site made only a "medium" contribution to the purposes of the Green Belt and that it "would make sense to remove it from the Green Belt as its retention in the Green Belt would serve no Green Belt purpose". The applicant considers that whilst these findings relate to only part of the application site, it is not unreasonable to argue that, given the Green Belt in this location was found to not be high performing, that the same conclusion would have been reached for the application site as a whole.

#### *Openness*

- 2.22 The applicant references three recent case law decisions where the meaning of 'openness' was discussed. They explain how the court for the R (Samuel Smith Old Brewery (Tadcaster) v North Yorkshire County Council [2020] UKSC 3 case stated that the visual quality of the landscape is not in itself an essential part of the "openness" for which the Green Belt is protected. Openness is the counterpart of urban sprawl and is also linked to the purposes to be served by the Green Belt and does not imply freedom from any form of development.
- 2.23 The application acknowledges that the buildings, hardstanding, car and lorry parking and roadways proposed will have an adverse impact upon the openness of the Green Belt. However, they state that the site is on the edge of the Green Belt adjacent to the developed western edge of the Omega site in Warrington. The relationship with the developed area reduces the openness of the Green Belt in this location and development of the site will be against this context. They consider that views of the site are mainly available from the M62 and some raised locations in the surrounding area. They acknowledge that the scale and nature of

the proposed development means that there will be a material loss of openness when viewed from a number of these vantage points. However, they believe the existence and prominence of the existing Omega development (both north and south of the M62) will offer a perspective and context against which the proposals will be viewed.

- 2.24 The applicant states that locating the application site adjacent to the boundary with the existing Omega development, means that in time it will appear as a continuation of the Omega site and will match the form of development already established in this location.
- 2.25 They also consider that the establishment of new structural landscaping, consideration of the site layout, choice of materials and colours, control of light and noise emissions will serve to reduce the impact of the development. Given the context above they consider there would be moderate harm.

*Permanence;*

- 2.26 With regards to permanence, the applicant acknowledges that the proposal would remove the ability for the application site to remain permanently open as Green Belt.
- 2.27 The applicant argues that there is an identified need for significant Green Belt release, which is acknowledged within St Helens Core Strategy and in the evidence base of the emerging Local Plan. Current Green Belt boundaries cannot now be treated as permanent.
- 2.28 The applicant identifies that the St Helens emerging Local Plan identifies part of the application site (31.22 ha) suitable site for B2 / B8 development under employment allocation 1EA (Omega South Western Extension). Whilst it does not cover all of the application site, this area is considered appropriate to be removed from the Green Belt. The applicant argues only moderate harm is caused.

*Urban Sprawl;*

- 2.29 The applicant acknowledges that the proposals would lead to the expansion of a built-up area outside the urban area. However, they state the Omega development to the east, M62 to the north and provision of new robust landscape features to its western boundary means it would not lead to unrestricted sprawl. Furthermore they state, the proposals are predicated on a 'transfer' of trip generation figures from the current outline planning permissions affecting Omega South, which creates sufficient capacity for the development proposals in their current form, but which would not support further expansions in the future therefore there is no potential for additional phases of development that could result in further sprawl in the vicinity of the site. They also state this conclusion is reflected in the Council's Green Belt Review, which found that the site as a whole is "well contained to the north, east and in part the south and west". The applicant considers only a moderate harm is caused to this purpose.

*Merging;*

- 2.30 The applicant states that the proposed development would have a low impact on the purpose of preventing neighbouring towns merging into one another. They state the site is remote from the main St Helens settlement boundary and is on the eastern edge of the existing Green Belt. The site is also physically separated from the settlement boundary by the physical barrier of the M62 motorway corridor and will be defined by new structural planting along its western boundary. The applicant considers only a low level of harm is caused to this purpose.

*Encroachment*

- 2.31 The applicant acknowledges that the proposed development would lead to encroachment of built development into the countryside. However, they argue the site is relatively flat and featureless private agricultural fields with limited ecology and biodiversity value. The proposal would provide public access and community benefits with little prospect of further encroachment. In this context and given the site is bounded by large-scale built development at Omega and the M62 they believe the site only has a "moderate" countryside character and therefore the level of harm is moderate.

*Historic Towns*

- 2.32 The applicant states that the site is remote from any settlement and there are no historic towns or settlements within the Borough. The proposed development would not conflict with the purpose of preserving the setting and special character of historic towns.

*Regeneration;*

- 2.33 The applicant states the Green Belt is an urban regeneration mechanism designed to direct development and investment towards existing urban areas. They consider the proposed development will have a positive impact on urban regeneration initiatives due to the economic development benefits that cannot be delivered by siting the proposed development in an urban area. They state the results of the Alternative Site Assessment Study demonstrates there are no alternative non-Green Belt sites within St Helens or Warrington that could accommodate a logistics development of this scale required to meet the identified need. The applicant considers the proposal would therefore cause moderate harm to this purpose.
- 2.34 The applicant notes that the proposals will cause a defined harm to the Green Belt by reason of 'inappropriateness' and this must be given substantial weight. However, they consider 'other harm' to the Green Belt and the environment is limited. The proposals will result in a moderate degree of harm to the Green Belt and that there are very special circumstances to outweigh the harm.

***Very special circumstances***

- 2.35 The applicant's case of very special circumstances is set out in their Planning Statement, it comprises seven strands:
1. Policy support for the development
  2. Policy and commercial need
  3. Whether the site is suitable/deliverable
  4. The lack of other sites to meet the need
  5. Economic benefits of the proposal
  6. Social benefits of the proposal
  7. Environmental benefits of the proposal

Under each section the details have been broken down further. It will address both St Helens and Warrington.

*Policy Support for the development*

*St Helens Policy*

- 2.36 The applicant states that St Helens' Core Strategy provides the aims and objectives for the future economic development of the Borough with a focus on land needs and supply. Under policy CE1 a need for 37 hectares of employment land is identified to be developed between 2012 and 2027. Of this requirement, 32 hectares was identified as being for B8 warehouse and distribution floorspace and that the Core Strategy indicated a need to remove land from the Green Belt to meet the Borough's longer-term development needs, although it did not identify the scale or location of any such removal.
- 2.37 The applicant notes that since the adoption of the Core Strategy, the national economy has evolved, most notably with the rise of online retailing. There has also been a change in the Liverpool City Region (LCR) approach where the importance of SuperPort and Liverpool2 has identified a significant economic multiplier that has formed the basis of the LCR Growth Strategy (within which Omega is identified as a key strategic site).

- 2.38 The applicant argues that the current adopted plans seek to promote economic development, but the new evidence base, which supports the emerging local plan, provides the justification and impetus to take this further forward and at a much greater rate. The applicant submits that the evidence base for the local plan is highly material to the application because it reflects other research and evidence being presented at the City Region and national levels and also includes both the economic land requirements and a Green Belt Review.
- 2.39 The applicant refers to St Helens Economic Evidence Base Paper (EEBP) 2015 which provides an update on the economic development position since the adoption of the Core Strategy in 2012. The applicant states, in the context of regional and sub-regional need, the EEBP identified the need for the Council to commission an Employment Land Needs Study (ELNS) to identify the objectively assessed need (OAN) for employment land within the Borough up to 2037. The applicant explains that the OAN identified a significant increase on the employment land need of 37 ha stated in the Core Strategy. In particular, that the demand for large scale warehousing and distribution was unlikely to be met on the Borough's existing employment land supply. The Addendum Report to the Employment Land Needs Study (ARELNS) 2019 increased this and said the revised OAN for the Borough in the period 2012 to 2037 is between 190 – 239 ha of employment land with between 165 – 225 ha of this land for logistics.
- 2.40 The Strategic Housing and Employment Land Market Assessment (SHELMA) (March 2018) provides evidence to inform the preparation of a LCR Spatial Framework and support the preparation of local plans. Publication was then followed by the Assessment of the Supply of Large-Scale B8 sites (ACLCB8) in June 2018. The SHELMA Assessment identified a shortfall of between 43.4 ha and 141.4 ha across the City Region.
- 2.41 The applicant states this is consistent with the requirements of the National Planning Policy Framework (NPPF) which, in its economic objectives, seeks to build “a strong, responsive and competitive economy” (Paragraph 8). They note that paragraph 80 requires that significant weight is placed on the need to support economic growth and productivity and that paragraph 82 requires planning decisions to recognise and address the specific locational requirements of different sectors including storage and distribution.
- 2.42 The applicant argues that in this context, it is important to note the problems of deprivation and joblessness that remain in St Helens. They submit that opportunities provided by sites such as Omega Zone 8, which lies within 1km of an area within the 20% most deprived population in the UK, are economic multipliers as they are strategically located to be attractive to regional and national employment/logistics operators.
- 2.43 The applicant states that neighbouring authorities have supported very large logistics buildings along the M62 corridor, with Warrington and Omega a prime example but due to the lack of suitable brownfield sites and a restrictive approach to Green Belt change in St Helens, these opportunities have not been forthcoming in St Helens. They submit that whilst other sites within the urban area could provide employment development, unless they are located in the appropriate location with high levels of accessibility, they will remain attractive to local business only. The applicant submits that sites, such as the application site, that are capable of accommodating larger units close to the motorway are vital to achieve this vision in accordance with paragraph 82 of the NPPF.
- 2.44 The applicant states that St Helens Council, as a result of the work carried out in support of the emerging Local Plan, recognises the need to positively plan for economic growth for the benefit of the Borough and to capture the economic benefits of the logistics industry. They argue that there is an established economic policy requirement which has now grown significantly.
- 2.45 The applicant also states that this requirement is reflected in the emerging St Helens Local Plan and although only very limited weight can be attached to the document at this stage, the identified need for 215.4ha of employment land and the proposed allocation of up to 265.3ha (including part of the application site – Allocation 1EA) cannot be ignored. They submit the local plan's proposed over-provision of employment land allocations targets the large-scale (strategic) logistics market where, as concluded in the Council's evidence base, take up in St

Helens has fallen behind other local authorities within the Functional Economic Market Area (FEMA).

- 2.46 The applicant also refers to a number of strategic planning permissions for large scale logistics. They submit that sites have been brought forward on the basis of the Council's evidence base, the identified need for strategic employment sites within the Borough and the Council's acceptance that this could only be met through the development of Green Belt land.
- 2.47 The applicant notes that the take-up of these sites in advance of the local plan being adopted does mean that the number of sites capable of accommodating large-scale / strategic logistics development has been reduced. They are of the view that while a reasonable level of supply remains, the sites are subject to development constraints which may effect their deliverability in the short-term and their attractiveness to the market.
- 2.48 The applicant concludes that the proposed development is submitted in the context of national, regional and local requirement and that policy support for employment development is a significant material planning consideration in favour of the proposals, to which significant weight should be attached.

#### *Warrington's Policy*

- 2.49 The applicant states that the Warrington Economic Development Needs Assessment (EDNA) Feb 2019, which informs the emerging Warrington Local Plan identifies an employment land supply of 83.91 ha in 10 sites, comprising a local supply of 23.94 ha (28.5 percent) and strategic supply, which is Omega of 59.97 ha (71.5 percent). The applicant submits that the EDNA also provides a review of the current property market relative to logistics, which confirms that rents for prime industrial and logistics locations of more than 10,000 sqm in Warrington had increased by almost a third in five years. This reflects the Borough's position at the centre of the region's communications network and ongoing decline in supply. The EDNA confirms that the North West remains the logistics market leader in the UK, with the highest amount of supply overall, but has just 1.5 years' worth of supply for grade A units, the lowest of any region outside of the M25.
- 2.50 The applicant states that using a strategic/local projection take-up rate, inclusive of Omega, and applying it to the Local Plan period 2017-2037 (20 years), the 2019 EDNA identifies that Warrington requires 277.60 ha of land to 2037. With a 5-year buffer (to reflect a choice of sites by size, quality and location and to provide a continuum of supply beyond the end of the 2037 period) applied, this rises to 347 ha. Based upon the realistic supply, this results in a combined further need of 277.80 ha to 2037.
- 2.51 St. Helens and Warrington Councils have identified, under the duty to cooperate, that the emerging Warrington Local Plan is unlikely to be able to accommodate all of Warrington's employment land needs for 2017-2037 within its administrative boundary. Therefore St. Helens Council has agreed to allocate part of the application site (31.22ha) as an employment land allocation in their own emerging local plan (allocation site 1EA). This will help Warrington Council to meet these needs. The applicant concludes that the proposed development responds to this identified need.

#### **Need in St Helens and Warrington**

##### *St Helens*

- 2.52 The applicant states the application is made in the context of the considerable shift in economic evidence, which informs the emerging local plan for St Helens which demonstrates that there is a significant need for new employment land in St Helens, including sites for large-scale logistics than the Core Strategy identifies. The applicant states the local plan can only be afforded limited weight, but argues that the evidence base is highly material.

- 2.53 The applicant identifies that there is need for the proposed floorspace as the Liverpool City Region Growth Plan seeks the creation of over 100,000 additional jobs by 2040. It also includes a net increase of 20,000 businesses across the same period within which Omega is identified as a key strategic site. The applicant identifies that the SuperPort and Liverpool2 are catalysts for growth. The applicant also refers to the Governments Northern Powerhouse strategy and how the Government will work with local stakeholders to address key barriers to productivity in the region. The applicant submits that the proposed development will make an important contribution to achieving the aspirations of the Northern Powerhouse by bringing about significant investment and job creation in the local area.
- 2.54 The applicant submits that since the Core Strategy was adopted, the take-up of employment land has been slow (2.37ha between 2010-2016) which they consider is indicative of a lack of quality sites to meet market demand. The applicant states there was a net loss of 34.96 ha of employment land to other uses. The Council identified that that the Core Strategy requirements had not been met in St Helens.
- 2.55 The applicant notes that the North West has seen significant demand for and take up in large-scale logistics development and the supply of this is becoming increasingly limited. However, demand for large-scale logistics floorspace is still growing, evidenced by applications such as Florida Farm and Parkside in St Helens.
- 2.56 The evidence that supports the local plan has identified a demand for large scale logistics and a need for additional employment land over and above that stated within the Core Strategy. As noted above in paragraph 2.39 the ARELNS 2019 identifies that in the period 2012 to 2037 there is a need for between 190 – 239 hectares of employment land. The ASCLB8 (2018) prepared in support of the SHELMA (2018) also shows a total strategic employment land supply of 295.6 ha. This falls short of the identified requirement in either of the SHELMA demand scenarios (339-437 ha) and results in a residual requirement for sites to support strategic B8 development which totals between 43.4 ha and 141.4 ha across the City Region by 2037.
- 2.57 The Jones Lang LaSalle (JLL) Market Report 'UK Big Box Industrial and Logistics Market report 2020' is submitted by the applicant. They state that this report sets out the economic need and market demand for the proposed development.

The applicant states the report identifies;

- North West take up of grade A space over the last ten years has varied reflecting the socio-political and economic conditions (Brexit) and averages c2.3m sq. ft per annum.
  - St Helens has proven an attractive location with over 1,226,000 square feet of warehousing being taken up in three speculative buildings to suit transactions in the last three years.
  - Several large regional sites are built out – Omega, Warrington and Logistics North, Bolton.
  - Sites of this size are developed out over a number of years which does often include periods of financial prosperity and recession. This results in a timescale that will vary depending on the size of the development site and the correlation between the stage in its development lifespan and the economic cycle.
  - There are over 5 million sq. ft of requirements which would consider the site.
  - The site adjoins Omega South, an established employment location of significant scale and will utilise its motorway access and infrastructure.
  - Distribution and production units are becoming larger and require higher building heights to satisfy production, storage and automation.
  - Automation delivers higher quality jobs in the maintenance of the automated handling systems and allows employees to undertake better quality roles.
- 2.58 The applicant states that the report identifies that the retail / e-commerce sector makes up approximately 40% of the national industrial and logistics sector and that this sector is rapidly evolving due to changes in product handling and delivery strategies. They state that the report identifies that the total speculative build / build to suit take up in the North West between 2015-

2019 has varied and that the supply of available grade A floorspace was approximately 3 million sq.ft grade A stock at the end of 2019. Of this, circa 1.74 million sq.ft was available units in the North West. The immediate available grade A supply in the North West is 2,441,000 sq.ft which equates to 1.42 years supply although this could be less if units under offer are considered.

- 2.59 The applicant states the report identifies that there is currently strong demand for units in excess of 100,000 sq. ft in the North West Region which outstrips the current supply and that the majority of the existing building requirements need to be satisfied in the next 6 – 12 months, whilst the build to suit requirements are 18 – 24 months. The applicant states it is the medium term, build to suit requirements that the outline element of the Omega Zone 8 proposals will satisfy.
- 2.60 The applicant submits the report concludes that the build to suit market has become more sophisticated with occupier requirements but that there is still a need for speculatively institutionally built units for occupiers whose timescales will not allow build to suit. The applicant considers the application site is large enough to accommodate both and that there are few sites in the North West that can offer plots in excess of 300,000 sq. ft.
- 2.61 The applicant submits that there is a significant need for new employment floorspace particularly for logistics, to serve the North West and Liverpool City Region. They consider the existing Omega site has been performing a regional and national role but is now substantially built out. The application site would satisfy the short to medium term demand identified in the JLL Market Report and through the Council's evidence base and the City Region SHELMA. They consider that there is need for significant economic growth in St Helens to address demand in the City Region and also to address the economic disadvantages of the Borough. They consider that to achieve this and given the significant proportion of the Borough being in Green Belt, and lack of available and suitable sites to deliver this, there is a need to develop land in Green Belt.
- 2.62 As the full element of this proposal is a 'built to suit' for the operator Home Bargains, the operator has explained why they need a new large scale distribution centre and why it needs to be located in the North West and specifically St Helens. Within the operator statement they explain that TJM business (Home Bargains) currently has two existing distribution centres in the UK, one in Liverpool (Axis) and one in Amesbury, Wiltshire (Solstice). They supply over 500 Home Bargain retail stores across the UK. These sites currently operate at 100% and 50% capacity respectively. However, as part of TJM's planned growth, a third distribution centre is required to enable the company to grow to approximately 800 stores and double its annual turnover by 2024. The existing capacity at Amesbury and the site proposed here will enable to TJM to achieve these growth plans.
- 2.63 The applicant states TJM collate data that allows them to forecast planned growth in store numbers, analysing population density per existing and possible store location and likely availability of suitable stores. This information concludes that the best location for the applicants third distribution centre is in the north, in a corridor running from Liverpool across to Hull. The applicant states that the proposal here would be their second logistics facility in the Merseyside, but the Operator Statement illustrates that when considered in the context of their existing store network and their planned growth the rationale for the selection of the location of Omega Zone 8 is necessary. It will remove pressure from their Axis site, and it will enable them to service their existing and proposed network more efficiently.

#### *Warrington's needs*

- 2.64 As stated in paragraph 2.49 the applicant submits that the 2019 EDNA identifies that Warrington requires 277.60 ha of land to 2037, with a 5-year buffer this rises to 347 ha. The applicant submits that St Helens Council has agreed to allocate part of the application site (31.22ha) as an employment land allocation in their own emerging local plan (allocation site 1EA), which will help Warrington Council to meet these needs.

- 2.65 The applicant argues that the remaining 44.1ha of the application would still be required as it would meet the identified need for large-scale logistics floorspace to serve the North West and Liverpool City Region and facilitate economic growth in St Helens.
- 2.66 The applicant concludes by stating that the need to meet the market demands of the logistics sector, the need to cater for a shortfall in available employment land supply both within St Helens and the City Region and need to cater for the shortfall in Warrington's employment land supply means the need for employment sites is a significant material planning consideration in favour of the proposals and that significant weight should be attached.

**Whether the site is suitable/deliverable**

- 2.67 The applicant states that St Helens Council supports the use of the minimum search criteria, identified within the EEBP for large scale logistics developments as it forms the evidence base for the Local Plan. The applicant identifies that the Council's evidence base does not refer to sites in the urban areas of the Borough as per the Core Strategy. There is currently zero provision of suitable land for large scale distribution uses within the Borough's identified employment land supply in the urban area.
- 2.68 The applicant refers to St Helens Local Plan 2020 – 2035 Green Belt Review (2018) which they explain was made in the context of the employment land need. The applicant states that part of the site is identified within the review as Omega South Western Extension (Land north of Finches Plantation, Bold Site 1EA) and that site assessment scored medium overall against the five purposes of Green Belt. They state that whilst this only covers part of the application site, it is clear that the emerging local plan envisages that land for development could be removed from the Green Belt in this location and that the purposes of Green Belt policy in this locality would be maintained by the wider Green Belt land outside of this application site.
- 2.69 The applicant states that the site is suitable for both the full and outline elements of the proposal as it has excellent motorway access being close to the M62 Junction 8 and has direct connection to Skyline Drive A5280. Minimal highway improvement works are required whilst also offering options to improve existing public transport links. The site is attractive to the market as it is adjacent to a well-established existing logistics employment area and close to a labour source within St Helens, such as Clock Face. Given the proposed 24/7 hour operation requirements of logistical and industrial units, the site is also well removed from residential properties and where there are some sensitive receptors, the site is large enough to allow mitigation separation to be implemented. The topography of the site is relatively flat and is predominantly within flood zone 1 (not at risk of flooding).
- 2.70 In addition to the above, the applicant provides further explanation as to why the site is suitable for the bespoke unit 1. The applicant notes that the existing distribution centres for 'Home Bargains' are circa 1 million sq ft following expansions. The applicant states the site is suitable as it is capable of accommodating the proposed unit as well as providing the opportunity for further on-site expansion. The applicant states the size and shape of unit 1 is a requirement of the automation layout within it, the number of stores that it is intended to serve and land take-up efficiency. They state that the building is designed to critical minimum dimensions to allow the automation to function efficiently. In terms of operational needs, the applicant has set out how the goods are processed and how each area of the warehouse is utilised, justifying the need for the footprint and how the site can accommodate the building and associated service yard. The applicant also states that since the company began, the 'Home Bargain' retail stores have increased, an example being the new generation store at Linkway West at 17,700 sq.ft which is significantly larger than the store in the Hardshaw Centre in St Helens (2,787 sq.ft) and therefore larger distribution centres are required. The site is therefore capable of accommodating the bespoke unit.
- 2.71 In terms of height for the bespoke and speculative units, the applicant refers to the 'JLL Market Report' which states that changes in product handling and delivery strategies has led to a demand for better specified buildings and more sophisticated handling systems. This in turn has led to higher building heights. The applicant refers to the Amazon building at Magna Park

(close to Milton Keynes), to state that whilst lower in height (21 metres) it was the tallest speculative logistics warehouse in the UK when it was built in 2019. They believe table 1 suggests a trend in the speculative market for higher buildings and is in-line with the 19m high ridge heights proposed as part of the outline element of the proposals.

Company / Location	Floorspace (sq.ft)	Max Building Height (m)
Asda, Omega South, Warrington	630,000	30
Heinz, Wigan	96,000	30
Newcold, Wakefield Hub	417,000	42
Ikea, Westmoor Park, Doncaster	1.3m	35
Coca Cola, Wakefield	775,000	40
Aldi, Interlink South, Bardon	1.2m	30
Amazon, Magna Park, Milton Keynes	574,000	21

Table 1: Taken from applicants planning statement

- 2.72 For the proposed unit 1, the highest point of the warehouse is shown at the eastern side and would measure 41.6 metres. The applicant has provided an operational overview of the proposed warehouse which includes details on stock storage areas, timescales and turnover. They state that the 'high bay' is the main storage area and has been sized to provide stock cover for 18 days, which is their business model to allow for high turnover. They state that the industry norm is at least 40 days, which, if used here, would double the size of the high bay. The applicant states that unit 1 is higher than the two existing distribution sites Axis and Amesbury. However, whilst the unit would serve a similar number of stores (c. 350), the floor areas of the newer stores tend to be larger and therefore more pallets per store are required for each replenishment. They explain that unit 1 would be capable of storing 91,300 pallets compared with their existing sites at Amesbury (74,624 pallets) and Axis (69,400 pallets). More pallet storage capacity means a larger volume is needed in the high-bay which is the central storage system within the distribution facility. Given the required height, they state that the application site is suitable as it is set away from sensitive receptors and the industrial appearance of the building is adjacent to Omega, an existing industrial site.
- 2.73 As well as the operational requirements mentioned above, the applicant states that the planned store growth along with a lengthy construction and fitout programme has placed importance on speed of site delivery as a key factor when determining which site to acquire. They state that if TJM cannot deliver a fully operational distribution centre by Autumn 2023, the store rollout will be undermined, and the business will not be able to expand as planned. The applicant states that the site is constrained by the over-head pylons and two watercourses 'Barrow Brook' and 'Whittle Brook', but even with these, there can be direct access from Catalonia Way. A temporary haul road can be provided and construction can begin immediately. The site is deliverable.
- 2.74 With regards to the outline element, the applicant adds that the demand for higher buildings also makes the site suitable for the outline elements where the units are proposed to be 19 metres high and the site area provides flexibility for size and orientation of build which is attractive to the market.
- 2.75 They believe that the suitability and deliverability of the site is a significant material consideration in favour of the proposals and should be given significant weight in favour the proposals.

**The lack of other sites to meet the need**

- 2.76 The applicant identifies that the evidence base for the Local Plan Submission Draft has assessed the availability of other sites to meet the need for employment land and concluded

that there are no existing urban sites to meet the need; that Green Belt release is therefore required.

- 2.77 The applicant has also undertaken an assessment of other potential sites which could accommodate the proposed development in whole or in part and reported the results in the Alternative Sites Assessment (ASAS) which accompanies this application. The ASAS primarily considers whether there are sites that are suitable and deliverable to meet the scale of the needs accommodated within the proposed development, however the ASAS also considers disaggregation of the site. For robustness for the outline element disaggregation is based upon the minimum size unit of 27,870 sq.m which the applicant states has been identified within the EEBP as the minimum size for large scale logistics.
- 2.78 The ASAS sets out a four-stage process to determine whether there are any suitable sites. The first stage identified the area of search of land within the Borough of St Helens and Warrington, because the proposed development would meet a need within both Boroughs. The ASAS reviewed the following sources of supply to determine the sites are available;
- Sites with planning permission for employment purposes
  - Allocated employment sites within the adopted development plan
  - Sites that have been promoted as part of the Local Plan
  - Sites listed in the Review of Employment Land Study in St Helens to 2027 (2011) (as reported in the EEBP) and for Warrington the Economic Developments Need Assessment 2019 (EDNA).
- 2.79 The second stage then identifies a number of minimum parameters which would determine whether a site would be attractive to the market. The applicant has used the criteria set out below which they submit are based upon the Council's Local Plan evidence base;
- Minimum area of 5 ha (to allow for a minimum unit size of 27,870 sq.m / 300,000 sq.ft).
  - Whether there is access to an existing motorway junction within 2.5km;
  - Whether the site has good access to 'A' roads with good linkages to the motorway network.
  - Whether the site has good public transport access
  - Separation from / absence of sensitive uses in surrounding area.
- 2.80 Thirdly the ASAS considers the suitability of the remaining sites in terms of the following potential constraints;
- Whether the site is a regular shape
  - The proximity of the site to a settlement to enable access for a local workforce
  - Topography; Whether the site can provide sufficient space for development platforms to accommodate large footplate units.
  - Whether the site lies within a flood zone.
- 2.81 Finally, the ASAS considers the degree to which the remaining sites conflict with the purposes of including land within the Green Belt as set out below;
- To check unrestricted sprawl of large built-up areas;
  - To prevent neighbouring towns from merging into one another;
  - To assist in safeguarding the countryside from encroachment;

- To preserve the setting and special character of historic towns; and,
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

- 2.82 The applicant states that a total of 36 sites, including the application site, were identified as meeting the minimum size requirement of 5 ha. However, only 17 sites made it past stage two of the assessment and then only 13 sites made it past stage three. Of those remaining sites, only two are brownfield sites outside of Green Belt located in Warrington. The results of stage four assessment indicates that of the remaining sites no one site can be identified as having less overall harm than any other, with every site having a high impact on two Green Belt purposes. The two remaining brownfield sites were discounted as they both benefit from planning permission; and there being no available units available that meets the minimum floorspace requirement of 300,000 sq.ft and being close to sensitive receptors.
- 2.83 The applicant submits that they intend to forsake a B1 employment development with planning permission on the existing Omega South site, to create capacity within the highway network for the proposed development. An outline planning application has been granted by Warrington Borough Council for residential development on this land. This would result in the loss of employment land within Warrington, the residential outline application is supported by a market report that demonstrates a lack of demand for B1 office development in this location.
- 2.84 The applicant notes that theoretically, this B1 land could offer an opportunity for alternative employment uses such as B2 / B8 logistics, however the site has not been included in the ASAS because it remains consented for B1 floorspace and would fail to satisfy the stage 1 criteria due to the close proximity to residential development.
- 2.85 The applicant argues that given the bespoke purpose- built nature of unit 1 and the specific operational and size requirements, that the option of disaggregating it is not possible.
- 2.86 The applicant also discounts the disaggregation of the outline units into smaller units due to the active requirements for grade A or “build to suit” logistics development in the North West, of which a large percentage is for larger facilities in the order of between 300,000 sq.ft and 800,000 sq.ft. They also state the Councils own evidence base EEBP (2015) report refers to a requirement of 5ha for large scale B8 uses, as this allows for a 300,000 sq.ft unit. They consider disaggregation of the floorspace into numerous smaller buildings would not meet the needs of the market for large scale logistics facilities.
- 2.87 The applicant submits that whilst 36 sites above 5ha were reviewed and could theoretically accommodate one or more of the outline units the sites would not be suitable.
- 2.88 The applicant concludes that there are no available, suitable or alternative sites to meet the need. They believe that Green Belt change is justified to meet the identified need within the evidence base of the local plan and that the application site would meet the need. They submit that significant weight should be attached to this.

### ***Economic Benefits***

- 2.89 The applicant states that the proposal will bring significant economic benefits to St Helens Borough both directly and indirectly during construction and operation.
- 2.90 The applicant refers to Chapter 15 ‘Population and Health’ within the Environmental Statement and to the NOMIS Job Densities Report which indicates the availability of employment and labour demand. They state that as of 2017, the job density levels (i.e. the ratio of total jobs to the working age population aged 16-64) in St. Helens was 0.65, which was significantly lower than the average across Warrington (1.14). This indicates a worse availability of employment opportunities within St. Helens when compared with Warrington; with a ratio of less than one job per person. The applicant states this emphasises the importance and benefits of the proposed development of generating jobs opportunities within St. Helens and the wider area.

2.91 The applicant has identified the economic benefits through jobs created by both the full and outline element of the scheme.

*Full element construction and operation;*

2.92 The applicant states the estimated construction period for the full application is approximately 16 months. There would be approximately 1,267 net construction workers jobs and 845 gross full time equivalent (FTE) annual employment opportunities. An estimated 1,267 net construction jobs generated by the proposed development represent a net additional £76,421,800 gross value added (GVA) to the St. Helens economy.

2.93 The ES states the average full time equivalent (FTE) employment during operation for the detail application site (unit 1) has been provided by the applicant. When operational, there would be an estimated 980 average FTE jobs and 1,103 total net employment. Approximately 827 FTE jobs will likely be taken up by residents within St. Helens Borough and 276 FTE jobs by other residents within the North West. By applying an average benchmark of £45,846 GVA per warehouse employee, the proposed development would represent an additional £37,914,642 GVA to the economy within St. Helens and £12,653,496 GVA to the economy within the North West.

2.94 The applicant and occupier for unit 1 'TJ Morris/Home Bargains', has provided a further full breakdown of projected future employment assuming 40% operational capacity in the first year and 100% operational capacity, required to serve over 400 new stores. This is shown in Tables 2 and 3. They state the figures are informed by the two existing distribution sites in Liverpool and Amesbury.

2.95 The applicant states that Unit 1 will be significantly more automated than the other distribution sites so the number of high-skilled engineering and machine operator jobs would be significantly higher. Overall there would be various roles from supply chain, engineering and technical roles, human resources (HR), HGV drivers to support and administration. They state that within the first year there will be a three-shift, 24-hour-a-day operation which will require a full management team (warehouse and transport) and a full engineering team to be in place along with HR, training and health and safety functions, canteen, cleaning and building maintenance and security. They state these are all roles where the level of employment will not change, regardless of the operating capacity of the distribution centre.

2.96 At 40% capacity the operator predicts a peak 766 FTE jobs and average 686 FTE jobs; and at 100% capacity they predict a peak of 1431 FTE jobs and average 1230 average FTE jobs.

AREA	Peak		Average	
	TOTAL FTE per SHIFT	TOTAL ANNUAL FTE	TOTAL FTE per SHIFT	TOTAL ANNUAL FTE
TRANSPORT HUB, HR, H&S, TRAINING, SECURITY, ENGINEERING & FACILITIES, CLEANING & BUILD MAINTENANCE, CANTEEN	112	339	112	339
WAREHOUSE	65	307	54	247
HGV DRIVERS	27	120	22	100

AREA	Peak		Average	
	TOTAL FTE per SHIFT	TOTAL ANNUAL FTE	TOTAL FTE per SHIFT	TOTAL ANNUAL FTE
<b>Total (40% operational capacity)</b>	<b>204</b>	<b>766</b>	<b>188</b>	<b>686</b>

Table 2: Total forecast job generation at Omega Zone 8 (40% operational capacity)

AREA	Peak		Average	
	TOTAL FTE per SHIFT	TOTAL ANNUAL FTE	TOTAL FTE per SHIFT	TOTAL ANNUAL FTE
TRANSPORT HUB	16	29	16	29
HR	6	7	6	7
H&S	1	1	1	1
TRAINING	11	12	11	12
SECURITY	6	16	6	16

AREA	Peak		Average	
	TOTAL FTE per SHIFT	TOTAL ANNUAL FTE	TOTAL FTE per SHIFT	TOTAL ANNUAL FTE
ENGINEERING AND FACILITIES	46	206	46	206
CLEANING & BUILD MAINT	21	44	21	44
CANTEEN	5	24	5	24
WAREHOUSE	162	768	136	617
HGV DRIVERS	67	300	56	250
Vehicle Maintenance Unit (future installation)	11	24	11	24
<b>Total</b>	<b>352</b>	<b>1,431</b>	<b>315</b>	<b>1,230</b>

Table 3: Forecast FTE job generation at Omega Zone 8 (100% operational capacity)

2.97 The applicant states the projected job creation is both realistic and conservative. Some elements will be similar to TJM's Amesbury site (e.g. HR). Some will be similar to TJM's Axis site (e.g. transport hub) and some will be unique to Warrington: (e.g. engineering). The figures have been collated by taking each individual element into account. In terms of how this employment converts in a total estimated salary cost including pension and National Insurance Contributions, the table below provides this information by role.

	roles	avg salary	Capacity		
			100%	50%	75%
Engineering/Technicians	123	36,645.00	4,507,335.00	2,253,667.50	3,380,501.25
Cleaning / Building Maint	53	25,569.00	1,355,157.00	677,578.50	1,016,367.75
Warehouse	631	23,201.00	14,639,831.00	7,319,915.50	10,979,873.25
Drivers	250	45,320.00	11,330,000.00	5,665,000.00	8,497,500.00
Transport	26	38,434.45	999,295.70	499,647.85	749,471.78
H&S	1	51,500.00	51,500.00	25,750.00	38,625.00
Training	2	36,050.00	72,100.00	36,050.00	54,075.00
Security	13	30,900.00	401,700.00	200,850.00	301,275.00
Canteen	8	22,660.00	181,280.00	90,640.00	135,960.00
IT	6	45,320.00	271,920.00	135,960.00	203,940.00
			33,810,118.70	16,905,059.35	25,357,589.03

Table 4: Total salary costs at Omega 8

- 2.98 The applicant states they will work in close partnership with government departments and local recruitment agencies to implement our recruitment strategy for the various roles; from supply chain, operations, engineering and technical roles to support and administration.
- 2.99 They have submitted a local employment scheme statement which sets out how jobs will be advertised and where the recruitment will take place. It also clarifies that due to the highly specialised equipment inside the warehouse, this can only be done by the company they have purchased it from. They have also provided a 'Local Suppliers of Services and Goods During the Construction Phase' statement that sets out how they will engage with local suppliers within St Helens.

*Outline element construction and operation;*

- 2.100 For the outline element there is no end user. The ES states the gross employment opportunities are estimated to be 2,679 and the total net employment is estimated at 3,014 jobs of which approximately 2,260 will likely be taken up by residents within St. Helens, and 753 will be taken by residents within the North West. By applying an average benchmark of £45,846 GVA per industrial employee, the outline development would generate approximately 3,014 net warehouse and industrial jobs and would represent an additional net £103,611,960 GVA to the economy within St. Helens and net £34,522,038 GVA to the economy within the North West.
- 2.101 A total of estimated £141,526,602 GVA to the economy within St. Helens and £47,175,534 GVA to the economy within the North West.
- 2.102 The applicant believes there will also be wider economic benefits associated the development. These include maintaining and enhancing the profile and image of Omega as a major focus for the distribution sector. It would send a strong signal of investment confidence in the both St Helens and Warrington Boroughs, building on the competitive advantages of the area for the distribution sector, including investment in the SuperPort, helping build a critical mass of such activities and encouraging further distribution investment so that the City Region remains competitive against other areas with similar facilities. It would help to deliver a diversified local economy help to grow an efficient, sustainable logistics sector in the Liverpool City Region.
- 2.103 The applicant believes the economic benefits of the proposed development are a significant material planning consideration in favour of the proposals, and that they should be given significant weight.

### ***Social Benefits of the scheme***

- 2.104 The applicant states the proposal will bring job opportunities to St Helens. They state that St Helens has a number of areas that are ranked poorly in the national indices of multiple deprivation, with some of the most deprived within 1 kilometre of the site. The applicant has submitted a 'Local Employment Scheme' for construction activities associated with the detailed element of the proposed development, focused on the most deprived Super Output Areas in the Borough. The scheme includes details of how the initial staff/employment opportunities at the development will be advertised and how recruitment will take place.
- 2.105 The applicant submits that the scheme will deliver improved public access to areas of green space as well as onward connections to both St Helens and Warrington through enhanced pedestrian and cycle routes through the site via an upgraded link bridge, providing links with the southern areas of the St Helens urban area. The provision of a nature conservation and woodland area ('the Green Wedge'), extending to around 4 ha in the north-west corner of the site will also be open to the public.
- 2.106 The applicant believes the social benefits of the proposal development are a significant material planning consideration in favour of the proposals, and that they should be given significant weight.

### ***Environmental Benefits***

- 2.107 The applicant acknowledges that the proposed development will have an environmental impact. A full assessment of the environmental impact of the development is provided within the biodiversity chapter of the ES.
- 2.108 The applicant submits that ecological mitigation, involving landscaping enhancements integrated with ecological habitat design, good practice construction methodologies, and the implementation of a sustainable urban drainage system, will have a long-term positive impact on local ecological conditions. The provision of Landscape Management & Maintenance Strategies and Landscape & Environmental Management Plans will also ensure commitment to the long-term management of these areas to the benefit of both site users and the local area.
- 2.109 The applicant believes the environmental benefits of the proposal are considered to be a significant material planning consideration in favour of the proposals and that they should be given significant weight.

### **Other Harm**

- 2.110 In accordance with the requirements of Green Belt policy, the applicant then goes on to assess whether there is any 'other harm' which should weigh against the proposed development. The applicant's Planning Statement identifies areas where there could be environmental or technical harm and these are set out in turn below.

#### *Traffic and Transport*

- 2.111 The Transport Assessment (TA) and Environmental Statement submitted with this application has been assessed solely on the basis that should this B2/B8 planning application be accepted and permission granted, then the B1 element at Zones 1-2 of the existing Omega development would not be implemented. An application for residential development will be made.
- 2.112 The proposed development will be accessed from the east via Catalina Way, from the M62 Junction 8, north east of the development, and from the Omega Boulevard / Orion Boulevard roundabout to the south. The applicant states all HGV traffic to/from the site will be via Skyline Drive, which connects to the M62 Junction 8. No HGV traffic will be routed via Lingley Green Avenue to the south.
- 2.113 It would generate HGV's, Light Goods Vehicles (LGV), public transport and private car movements as well as pedestrian and cycle movements, which have all been assessed in the TA. The TA assesses a number of junctions primarily in Warrington and finds that they would

operate within capacity following the addition of traffic generated by the proposed development. Other committed developments and development associated with the wider Omega development have also been taken into account. Mitigation measures are proposed to Junction 8 to reduce the impact of the development.

- 2.114 The TA indicates that the application site is accessible by sustainable modes of transport and will facilitate connection to a comprehensive network of pedestrian and cycle facilities which are provided throughout the wider Omega development and beyond. It is proposed to divert the existing Omega bus service into the proposed development, and to provide a bus stop within the site, resulting in a less than a 5-minute walking distance to access public transport. A Travel Plan Framework is also provided which considers how the public transport and non-vehicle measures may be implemented in respect of the site to reduce reliance on the private car for the site.
- 2.115 The applicant considers there to be limited harm to the highway network.

#### *Ground Conditions*

- 2.116 A Ground Investigation Report (GIR) & Remediation Strategy has been submitted. The reports identify that the potential health risks associated with chemical contamination is low and considered acceptable based on a proposed commercial development at the site. There is a low risk posed to controlled waters and the preliminary ground gas risk assessment classifies the site as 'Characteristic Situation 1' concluding that no ground gas protective measures are required.
- 2.117 There is a recommendation that a watching brief should be maintained during earthworks to identify and deal with any localised contamination, if encountered, and that the management of the reuse of site won materials should be undertaken under a materials management plan.
- 2.118 The applicant considers the presence of contaminated land and associated risk from development of the site is considered to be low, however where localised contamination is encountered, the application proposes remediation of the issues. The applicant believes that limited beneficial weight should be given to his matter in the planning balance.

#### *Landscape Character and Visual Amenity*

- 2.119 The applicant identified that the application includes a Landscape Visual Impact Assessment (LVIA) which considers 12 viewpoints. The applicant states views of the site and associated potential effects will vary depending on the viewpoint and the receptor.
- 2.120 The ES concludes that during construction, "significant adverse" effects would arise to landscape character and on visual amenity of residential receptors and public rights of way. This is due to permanent loss of key features of the existing agricultural landscape with landscape mitigation unable to contribute due to the time taken to mature.
- 2.121 Operation of the proposed development would result in a permanent loss of landscape and characteristic features, including mature woodland, hedgerow, open fields and historic field pattern and ditches. The scale, form and operation of the proposed development and limited opportunities for the replacement of these landscape features in terms of mitigation would make a limited contribution.
- 2.122 A significant adverse effect would arise to landscape character and visual amenity. The applicant ascribes significant harm to these impacts.

#### *Ecology*

- 2.123 Several ecological surveys have been submitted in support of the application and are set out within the Environmental Statement. The proposal will cause habitat loss, habitat fragmentation, pollution and disturbance of important species along with permanent loss of woodland and tree cover and damage to trees covered by Tree Preservation Orders

- 2.124 The applicant submits that mitigation planting and tree protection through construction will be implemented and included within a Construction Environmental Management Plan (CEMP). A newly planted woodland within the north west of the site, to be of at least equivalent, or enhanced, quality in the long-term providing a 2:1 coverage of wooded area. Mitigation measures would also include additional pond and attenuation features, replacement hedgerow and bat boxes.
- 2.125 The applicant states that the proposed development would result in “no significant adverse” effects on biodiversity during the operational phase as there would be a negligible effect on the woodland and trees, ponds, Whittle Brook and Booth’s Wood. Mitigation measures proposed include a landscape strategy, lighting strategy and sustainable drainage systems integrated to be into the design.
- 2.126 The overall conclusion is that the proposed development will have a negative impact on biodiversity, however substantial mitigation is also proposed, and the harm is therefore considered moderate. The applicant ascribes moderate harm in the planning balance.

#### *Residential Amenity*

- 2.127 A noise and vibration assessment has been submitted as part of the ES that establishes ‘no significant adverse’ effects on noise and vibration during the construction phase subject to mitigation measures included in the Construction Environmental Management Plan. The ES also confirms “no significant adverse” effects on noise and vibration are anticipated during the operation phase of the proposed development subject to mitigation.
- 2.128 The applicant considers that through appropriate measures, there will be limited harm caused.

#### *Air Quality*

- 2.129 An Air Quality Assessment (AQA) has been submitted as part of the Environmental Statement. The AQA identifies there are four Air Quality Management Areas (AQMA) within the administrative boundary of St Helens, however the application site is not situated within an AQMA in St Helens.
- 2.130 There are two AQMA within the administrative boundary of Warrington Borough Council. The north east corner of the application site is adjacent to the ‘Motorway AQMA’ which is described as a 50 metre continuous strip on both sides of the M6, M62 and M56 corridors, due to the potential exceedances of the annual mean Nitrogen dioxide (NO<sub>2</sub>) objective.
- 2.131 During the construction phase, the AQA concludes that there is the potential for minor adverse impacts from dust and particulate emissions to occur intermittently at sensitive receptors. However, subject to mitigation measures, which would form part of the Construction Environmental Management Plan, the effects generated by construction activities would be negligible.
- 2.132 During the operational phase, no significant adverse effects on air quality are anticipated. The traffic effect on nitrogen dioxide and particulate matter concentrations on nearby residential dwellings and other highly sensitive receptors is considered “negligible”.
- 2.133 The applicant states there be limited harm caused to air quality.

#### *Utilities, Waste and Energy*

- 2.134 These matters are each considered in the ES. There would be certain effects but they would not be significant and in terms of harm would be considered neutral or even positive

#### *Water*

- 2.135 A Flood Risk Assessment and Drainage Strategy has been submitted with the application and forms part of the Environmental Statement. It considers the effects arising from the proposed development upon the hydrology, flood risk, water resources and Water Framework Directive

(WFD) from the construction and operation of the proposed development. The scheme proposes outfall into Whittle Brook, a main river, and Barrow Brooke, an ordinary watercourse, along with the diversion of both of these watercourses as part of the outline application.

- 2.136 During construction, the applicant submits there would be “no significant adverse” effects on flood risk, groundwater sources or Whittle Brook. The ES identifies the potential for changes to the existing water environment of the Whittle Brook (Mersey Estuary) due to the proposed diversion, which could affect the aquatic ecology and sediment regime. However, diversion of the watercourse will be done under EA licence and any adverse impacts will be short-term, until the new habitats have established.
- 2.137 There is also the potential for runoff and infiltration from the development, contributing to an increase in flood risk until the sustainable drainage systems have been constructed. The applicant considers this to be short-term and limited. Mitigation measures identified through the CEMP would serve to avoid this.
- 2.138 During the operation of the proposed development, the applicant states that the effect on flooding and the diversion of Whittle Brook has been assessed to have “no significant adverse” effects. The implementation of mitigation measures including sustainable drainage systems would control the potential impact from runoff entering the water environment and the channel design of Whittle Brook would reduce the operational affects to the aquatic ecology and the sediment regime.
- 2.139 The applicant states there will be limited harm to water management and drainage and that limited weight should be given.

#### *Land and Soils*

- 2.140 The applicant states there would be a permanent loss of 67.5 hectares of agricultural land, of which 17.2 hectares is best and most versatile agricultural land in subgrade 3a (good quality land). The ES states that no additional mitigation is available, but there would be “no significant adverse” effects.
- 2.141 The ES concludes that the proposed development has the potential to damage to soil structure and top as result of construction activates. However, this is mitigated by the inclusion of material / soil resource management proposals contained within the Construction Environmental Management Plan.
- 2.142 The applicant states there will be limited harm to this matter.

#### *Heritage*

- 2.143 The application is supported by a Historic Environment Desk-based Assessment (HEBDA) which informs the ES. The HEBDA states there are no designated within the application site, however, the site of Old Bold Hall moated site (Scheduled Monument 1010703), is located circa 300 metres west of the boundary.
- 2.144 The HEBDA identifies four non-designated heritage assets within the application site which comprise the site of the medieval and Post-Medieval park at Old Bold Hall and Bold Hall, Booth’s Wood (possible ancient woodland), the site of “Big Dam”; and an area of former ridge and furrow identified from the National Mapping Programme.
- 2.145 The applicant concludes that there would be temporary and permanent adverse impacts during both construction and operational phases, however any temporary impacts can be mitigated through the implementation of a CEMP.
- 2.146 Enhanced field surveys undertaken to identify any surviving boundary or archaeological features, concludes there is no clear evidence of human activity within the application site prior to post- medieval enclosure and the development of Bold Park.

2.147 The applicant argues that as the archaeological potential of the site is low, the harm is therefore limited, and the weight is also limited in the planning balance.

### **3. CONSULTATIONS**

#### **3.1 Environmental Health: Contaminated Land**

#### **3.2 The following comments were originally received on 06/02/2020;**

Further to your consultation I have reviewed the following reports submitted in support of the application;

- WSP, Contaminated Land Phase 1 Geo-environmental Assessment, ref 11158(002), May 2019
- WSP, Ground Investigation Report & Remediation Strategy, ref. 70062937/11482, December 2019

The site investigation has confirmed the ground conditions to be as expected based on the desk study report. Other than some localised areas of made ground associated with historically backfilled drainage ditches, the ground conditions comprise topsoil onto natural Glacial Till and sandstone. No contamination has been identified.

Based on the site setting and initial monitoring results it is highly unlikely that there will be any requirement for gas protection. However, the gas monitoring was ongoing at the time the report was issued and for completeness sake I would request that the addendum gas monitoring report is submitted once this is available. Assuming the addendum gas monitoring report can be submitted prior to the application being determined, and assuming this confirms that there are no requirements for gas protection, then I would have no objection to the proposals and will not be seeking any conditions. Conditions recommend for gas monitoring and verification.

#### **3.3 Further to the submission of additional information the officer provided further comments on 18/02/2020;**

Further to your consultation I have reviewed the following report submitted in support of the application;

- WSP, Ground Gas Assessment (Addendum) 14<sup>th</sup> February 2020

The ground gas assessment has been submitted since my previous consultation response of 6<sup>th</sup> February. Having reviewed the report I would comment as follows;

Elevated carbon dioxide concentrations have been encountered in some wells in addition to some extremely high flow rates on certain monitoring rounds. The elevated carbon dioxide levels and highly elevated flow rates are associated with wells installed in the sandstone bedrock and have only been observed during periods of falling barometric pressure. The consultants have discounted the ground gas results from BH8A03 and BH8B03 as anomalous and 'not representative of the ground gas regime within the sandstone'.

I would suggest that the high flow rates observed in these boreholes are due to barometric pumping effects due to the confining nature of the low permeability Glacial Till over the more porous sandstone bedrock. The effect has been observed due to the deeper wells having breached the overlying Glacial Till. During barometric pumping as soon as atmospheric pressure falls below pressure in the ground/ borehole high positive flow will begin to be observed. The negative flow rates observed in a number of the wells are likely as a result of a rising pressure trend and an atmospheric pressure above that of the ground/ borehole which results in the effect being reversed.

Whilst I would agree that the results are anomalous in that they do not fit with the rest of the data it is still relevant information that warrants consideration in the context of the conceptual site model.

I would recommend that the consultants provide some further consideration and discussion in their report of the effects of barometric pumping. If there is any requirement to understand the extent of this in more detail then the deployment of a continuous monitoring device in one of the relevant boreholes may be worth some consideration. However, the key points should be ensuring that (1) the thickness and permeability of the overlying Glacial Till is properly understood throughout the site (2) the foundation solution is understood and the extent to which foundations will 'breach' the Glacial Till is considered (3) any boreholes that extend into the sandstone, or a significant distance into the Glacial Till are grouted up so as to prevent them acting as preferential migration pathways.

I would recommend that the report is revised to include a consideration of the above points prior to the application being determined. Alternatively, it may be possible to attach pre-commencement planning conditions requiring the ground gas risk assessment to be finalised.

**3.4 Further information was submitted which the officer commented on 9/03/2020;**

Further to my previous consultation response of 18<sup>th</sup> February the consultants have issued a revised version of the Ground Gas Assessment (21 February 2020 Revision 01).

The report now acknowledges that the significantly elevated flow rates are related to barometric pumping. The consultants have assessed that the recorded clay thickness (between 7-14m) will inhibit any carbon dioxide from migrating to the surface. They have also included a recommendation to decommission the deep boreholes within the sandstone. I am in agreement with these conclusions but would recommend conditions for decommissioning of deep boreholes and a verification report.

**3.5 Further information was submitted which the Contaminated Land officer commented on 07/04/2020;**

Further to your consultation I have reviewed the following report submitted in support of the application;

- WSP, Omega Zone 8, Monitoring Well Decommissioning Strategy, 17<sup>th</sup> March 2020

Having reviewed the report I can confirm my agreement to the proposals. As such, the only condition that I now consider necessary is to ensure that the works are completed in accordance with this document. I would therefore recommend a condition for a verification report.

**3.6 Further information was submitted which the Contaminated Land officer comments on 12/10/2020;**

The application is supported by the following documents;

- WSP, Contaminated Land Phase 1 Geo-environmental Assessment, ref 11158(002), May 2019
- WSP, Ground Investigation Report & Remediation Strategy, ref. 70062937/11482, December 2019
- WSP, Ground Gas Assessment (Addendum) 14th February 2020
- WSP, Omega Zone 8, Monitoring Well Decommissioning Strategy, 17th March 2020

The Phase 1 Geo-Environmental Assessment identified that the site has not been subject to previous development, having only ever existed as open fields with a series of ponds and drainage ditches. The vast majority of these ponds and ditches are still present with only a small number that have either silted up or been backfilled. On this basis, contamination was scoped out of the need for any specific assessment as part of the Environmental Statement. Notwithstanding this a phase 2 ground investigation has been completed in any case which

covers approximately three quarters of the area making up the detailed/ full planning application area and part of the outline application area. An approximately 8 hectare

The triangular area in the north west of the site proposed as a landscape/ ecology mitigation buffer zone has gone without any investigation, as has the southern half of the site. Bearing in mind the site history and the associated low contamination risk and considering the low sensitivity of the proposed end use, I do not consider further site investigation in this north western triangle to be necessary. However, in accordance with the recommendations of the phase 1 study, it would be prudent for further investigation to be completed in due course throughout the southern part of the site for which outline permission is being sought.

The Ground Gas Addendum report identified elevated carbon dioxide concentrations in some wells in addition to some extremely high flow rates on certain monitoring rounds. However, this was restricted to the sandstone at depth and induced by the drilling of the boreholes through a confining layer of low permeability Glacial Till. The development will need to be implemented in accordance with the Monitoring Well Decommissioning Strategy to ensure that any preferential migration pathways formed by the drilling of the boreholes are severed.

The submitted reports confirm the low risk posed by contamination at the site, particularly considering the low sensitivity of the proposed development. As such I have no objection to the proposals. I would however recommend a number of conditions which, for ease, I have broken down into four zones of the site with reference to the attached figure.

### 3.7 Health and Safety Executive

### 3.8 The HSE initially commented on 18/02/2020;

The proposed development site in planning application P/2020/0061/HYBR lies within the HSE consultation distance of a major accident hazard pipeline - the North West Ethylene Pipeline - which is currently operated by Essar Oil (UK) Limited. The HSE consultation zones which currently apply to this pipeline are: • Inner zone = 54 metres • Middle zone = 125 metres • Outer zone = 275 metres. This application has been considered using HSE's land use planning methodology

#### *Full planning permission*

The area of the site for which full planning permission is sought for a B8 logistics warehouse and ancillary facilities, as shown in the drawing entitled 'Parameters Plan 1 – outline and detailed application boundaries OPP DWG3.1' (Drawing Number 05105 Rev. PL3), lies within the inner, middle and outer zones of the pipeline, as well as outside the consultation distance. The proposed logistics warehouse building as shown in the Indicative Masterplan OPP DWG 1 (Drawing Number 05100 Rev. SK9) would be occupied by more than 100 people. The proposed building will also include a three-storey office block section which would lie outside the consultation distance. This building would therefore be classed as a sensitivity level (SL) 2 development within HSE's methodology. Although it appears that the building may extend slightly within the inner zone, as less than 10% of the building will lie within the inner and middle zones, it is considered to lie within the outer zone. Consequently, HSE does not advise, on safety grounds, against the granting of full planning permission.

#### *Outline planning permission*

The area of the site for which outline planning permission is sought for manufacturing, logistics and ancillary facilities, as shown in the drawing entitled 'Parameters Plan 1 – outline and detailed application boundaries OPP DWG3.1' (Drawing Number 05105 Rev. PL3), lies within the outer zone of the pipeline and outside the consultation distance. The proposed layout shown in the Indicative Masterplan OPP DWG 1 (Drawing Number 05100 Rev. SK9), shows that Unit 4 will lie partly within the outer zone; Units 2 and 3 will lie outside the consultation distance. As this element of the hybrid application is for outline permission, information is currently not available regarding the number of occupants, or the number of occupied storeys, which each building will have. However, within HSE's land use planning methodology, the highest sensitivity level which applies to a workplace building, regardless of the number of occupants or occupied

storeys, is SL2, and HSE does not advise against SL2 developments within the outer zone. Consequently, HSE does not advise, on safety grounds, against the granting of outline planning permission.

As the proposed development lies within the consultation distance of the North West Ethylene Pipeline, you should consider contacting Essar Oil (UK) Limited before deciding the case. There are two particular reasons for this:

- they may have a legal interest (easement, wayleave, etc.) in the vicinity of the pipeline which may restrict certain developments within a certain proximity of the pipeline;
- the standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

**3.9 Following the re-consultation on amended plans they commented as followed on 03/07/2020;**

HSE is a statutory consultee for certain developments within the consultation distance (CD) of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to HSEs Planning Advice WebApp <https://pa.hsl.gov.uk>.

**3.10 Following the re-consultation on amended plans they commented as followed on 07/09/2020;**

HSE's advice on this application was provided on 18 February 2020; we have no further comments to make in relation to the proposed amendments.

**3.11 Shell (Essar)**

**3.12 Initial comments were received on 18/02/2020**

Shell UK have no comment to make on this application, other than if successful, could you please ask the developer to contact this office prior to any excavations.

**3.13 Further comments received on 12/08/2020.**

The proposed works will not affect the shell pipeline

**3.14 Further comments received on 12/08/2020.**

Shell UK have no comment to make on this application, other than if successful, could you please ask the developer to contact this office prior to any excavations.

**3.15 Historic England**

**3.16 Initial comments received on 24/02/2020 stated;**

Historic England considers that the application as submitted contains insufficient information to allow the impact of the proposed development upon the settings of key designated heritage assets to be properly assessed, or the suitability of the measures proposed to mitigate that impact to be confirmed. We consider that Chapter 8 of the Environmental Statement needs to be revised to include consideration of the impact of the Proposed Development on the setting of Old Moat House medieval moat, Bold (SM1017582), and that the photographic supporting information for the Landscape and Visual Impact assessment also needs revision so that the scale and siting of the elements of the Proposed Development can be properly appreciated.

Historic England Advice

The site of the Proposed Development contains no designated heritage assets, although Chapter 8 of the Environmental Statement (Cultural Heritage) identified a number of undesignated heritage assets which would potentially be directly affected by the development.

We recommend that the guidance of the Merseyside Environmental Advisory Service be sought on the requirements for further archaeological work within the site of the Proposed Development, and its phasing, and the suitability of the measures proposed for mitigation of the identified impacts on the undesignated heritage assets.

Historic England has some concerns about the way in which potential impacts on the settings of designated heritage assets, and particularly of scheduled monuments, have been assessed within the ES. Chapter 8 identifies a number of scheduled monuments within the agreed 2km buffer study area whose settings might potentially be displaced by the Proposed Development. These are Old Bold Hall moated site, Bold (SM1010703), Barrow Old Hall moated site, Great Sankey (SM1013363), Old Moat House medieval site, Bold (SM1017582), Site of Heavy Anti-Aircraft Gun South Lane Farm, (SM1019531), and Pickett-Hamilton Fort, south-east of Limekiln Farm (SM1020869). SM1013363, SM101931 and SM1020869 have subsequently been scoped out of the assessment, either because they are screened from the Proposed Development site, or because their settings are already degraded. Of the remaining two scheduled monuments, an assessment is provided in Chapter 8 of the potential impact upon the setting of SM1010703 of both the construction and operational phases of the Proposed Development, but there is no further mention within this chapter of SM1017582. This is particularly unfortunate since Appendix 3 of Chapter 10 of the ES (Landscape and Visual Impact) identifies the significance of the effects of construction and operation, and the residual effects of the Proposed Development, on the setting of SM1017582 as major adverse in each case. We are concerned therefore about the failure to ensure a proper correlation between Chapters 8 and 10 of the ES.

We also have concerns about the way in which the information in Chapter 10 and its appendices is presented. Whilst we accept that full planning permission is being sought for only one warehouse, with outline permission for other manufacturing and logistics development, we would have expected photo sheets presented in support of the Landscape and Visual Impact analysis to at least have indicated the height as well as the position of the individual element of the Proposed Development. The photo sheets appear to show only the extent of the proposed development, and as a result it is impossible to be certain that the potential visual impacts have been properly assessed. This is compounded by the limited number of viewpoints in the vicinity of these important cultural heritage receptors.

Historic England therefore considers that the application as submitted contains insufficient information to allow the impact of the Proposed Development upon the settings of key designated heritage assets to be properly assessed, or the suitability of the measures proposed to mitigate that impact to be confirmed. We consider that Chapter 8 of the ES needs to be revised to include consideration of the impact of the Proposed Development on the setting of SM1017582, and that the pictorial supporting information for the Landscape and Visual Impact Assessment also needs revision so that the scale and siting of the elements of the Proposed Development can be properly appreciated.

### **3.17 Following amended information Historic England commented 07/05/2020;**

Thank you for your letter of 24 April 2020 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

#### **Historic England Advice**

The additional information supplied by the applicants in their response to the comments contained in our letter of 24 February 2020 confirms that the Proposed Development will have minimal impact on key designated assets or their settings.

We note that additional archaeological survey work has been carried out on the application site, and that the Merseyside Environmental Advisory Service has confirmed that no further archaeological work is required for this application, and that archaeology does not need to be considered further. On this basis, Historic England has no objection to the granting of planning permission.

## Recommendation

Historic England has no objection to the application on heritage grounds.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

### **3.18 Following amended information Historic England comments on 20/07/2020;**

Thank you for your letter of 3 July 2020 regarding further information relating to the Environmental Statement and to the above application for planning permission. On the basis of this information, we see no reason to alter the advice given in our letter of 7 May 2020.

### **3.19 Following amended information Historic England comments on 07/09/2020;**

Thank you for your letter of 20 August 2020 regarding further information relating to the Environmental Statement and to the above application for planning permission. On the basis of this information, we see no reason to alter the advice given in our letter of 7 May 2020.

### **3.20 Merseyside Environmental Advisory Service (MEAS) Archaeology**

#### **3.21 Initial comments received on 14/02/2020.**

Thank you for consulting Merseyside Environmental Advisory Service in respect of this planning application. The proposals comprise erection of warehousing as well as development for manufacturing and logistics 2. Please note that this memorandum refers to our Archaeological advice only (as per your request to forward and comments as and when they are available). Further responses will be provided on other areas for which we provide advice such as Ecology in due course. Having reviewed the application and supporting documentation, our advice is set out below in two parts. □ Part One deals with issues of regulatory compliance, action required prior to determination and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes. □ Should the Council decide to adopt an alternative approach to MEAS Part 1 advice, I request that you let us know. MEAS may be able to provide further advice on options to manage risks in the determination of the application. □ Part Two sets out guidance to facilitate the implementation of Part One advice and informative notes. In this case Part One comprises paragraphs 3 to 6, while Part Two comprises paragraphs 7.

The proposed development site contains the following non-designated heritage asset recorded on the Merseyside Historic Environment Record:

MME8654 – Former site of medieval and Post-medieval park connected to Old Bold Hall and Bold Hall (MME8654).

The proposed development area was the subject of a Historic Environment Desk Based Assessment (HEDBA), undertaken by WSP in January 2020. In addition to the non-designated asset identified on the Merseyside HER, Section 8.1 of the assessment also identified three further sites of potential archaeological interest, including: Booth's Wood (possible ancient woodland); the site of 'Big Dam' (depicted on historic OS mapping) and an area of former ridge and furrow identified from the National Mapping Programme (NHL1605040).

As there is potential for archaeological deposits of the medieval and Post-medieval periods, to be encountered by the proposed development, a programme of predetermination archaeological investigation has been recommended. This work comprises an enhanced field survey, undertaken to identify any surviving boundary features of the Medieval park and Booth's Wood, and to investigate whether any archaeological features survive within Booth's Wood or the site of the "Big Dam". This work is currently being undertaken by WSP and a report containing the results should be available within the next 12 weeks.

In light of the above, submission of a planning application to develop the site is likely to meet with advice from MEAS that the applicant be required to undertake a programme of pre-construction archaeological works, secured by means of an appropriately worded planning condition.

The applicant will need to appoint a professional archaeological contractor to organise the mitigation, which will need to be implemented in accordance with appropriate professional standards. I will be able to supply further details of the work on request.

**3.22 Following amended information the following comments were received on 9<sup>th</sup> March 2020.**

I can confirm that the pre-determination archaeological works (field survey) have now been completed and a report has been submitted to and accepted by MEAS. Having reviewed the results of the survey my advice is that no further archaeological works are required for this application and as such archaeology does not need to be considered further. I have requested that the applicant forward a copy of the survey report to yourself for approval.

**3.23 Merseyside Environmental Advisory Service (MEAS)**

**3.24 Initial comments were received on 27<sup>th</sup> Feb 2020.**

Rachael has been looking at the ecological information but the majority of the ecological appendices are not the full reports just the results. Whilst there are some additional descriptions within the Biodiversity chapter this is not sufficient and I need full reports to enable a full review of the ecology on site and to verify results

The applicant needs to submit full survey reports, to include, details of all surveyors, full methods used, desk based search and relevant descriptions of habitats or features. The survey reports must follow relevant best practice.

The surveys which require full survey reports are:

All bat surveys;

Reptile survey;

Water vole survey;

Hedgerow survey.

In addition, the Local Record Centre data searches are also required

**3.25 Following amendments comments were received on 13<sup>th</sup> March 2020.**

*EIA Conformity*

The applicant has submitted an Environmental Statement (*Environmental Statement: Greengate Energy Recovery Facility, Volume 2, ESB Asset Development UK Ltd, August 2018, ref: 117626 (Rev. B)*), which comprises a Non Technical Summary, Main Report and Technical Appendices.

The Environmental Impact Assessment Regulations 2017 set out in Schedule 4 the general requirements for the content of Environmental Statements. These comprise information on: the nature of the development; consideration of alternatives; relevant aspects of the environment; likely environmental impacts arising; proposed mitigation measures; and an indication of any difficulties in compiling the information needed. A non-technical summary of the contents of the Environmental Statement is also required.

Having reviewed the submitted Environmental Statement we advise that there are queries which require addressing before we are satisfied that this document can be used as the basis for determination of the application, as follows:

- Chapter 4 Consideration of Alternatives. The information provided relating to the alternative sites considered is very limited and requires expansion including their location.
- Chapter 4 Consideration of Alternatives. There is insufficient information provided within Section 4 *Alternatives* on reasonable alternatives to the proposed development design, location and scale. Further information is required in line with Part II of Schedule 4 of the Regulations especially considering the significant concerns raised with regards to biodiversity.
- Chapter 17 Cumulative Impacts. two development sites have been considered within the cumulative impact assessment: Omega South zones 3-6 and Lingley Mere. Clarification is required as to why Omega Zone 7 has not been included within the assessment?
- Chapter 17 Cumulative Impacts. Climate has been scoped out of the inter-project cumulative effects assessment on the basis that this topic has not been included within the assessments conducted for the two committed developments. Whilst it may not be possible to undertake a quantitative assessment, I advise that as a minimum a qualitative assessment of impacts should be undertaken, particularly as St Helens Council declared a Climate Emergency in 2019.

### *Ecology*

This is an interim response to ecological matters to raise significant areas of concern. Once full ecological surveys and additional information as set out within this memo have been provided a full ecological response will be provided.

The proposed development site comprises of agricultural land located to the west of the existing Lingley Mere Business Park. The development site comprises of arable fields, intersected by a network of woodland, hedgerows, ponds and ditches. The development will result in the loss of these habitats. This network currently links to Booths Wood LWS and to Mersey Valley Golf Course LWS to the south (both offsite). This network of habitats provides wildlife corridors through the wider arable landscape. This network has been identified within the Liverpool City Region Ecological Network with woodlands on site forming Core Biodiversity Area and ponds proving Stepping Stone habitat. Woodland, hedgerows and ponds are Priority habitat (NERC Act) and NPPF and Local Plan Core Strategy CQL3 apply.

The emerging Local Plan allocation 1EA forms part of the proposed development area. However, the proposed development extends further westwards of the allocation into greenbelt. Whilst the proposed allocation 1EA avoids and therefore retains woodland (Priority habitat, NERC) on site, the proposed development scheme will result in significant woodland and tree loss. The proposed development would also result in the loss of additional existing Priority habitat in the form of an additional seven ponds and 770m of hedgerow in comparison with the 1EA allocation. The scale of habitat loss and the impacts of this on ecological networks is of significant concern. This issue was raised at the EIA scoping stage, however, there does not appear to have been any attempt to integrate existing woodland and associated ecological network of habitats into the development and there have been no changes to the proposed scheme which would avoid impacts to the woodland or other Priority habitats in compliance with NPPF and Local Plan core strategy policy CQL3.

I note your Countryside Development and woodlands officer has also raised concerns over the loss of woodland within the proposed development site.

The site is within Bold Forest Park and policy BFP ENV2 applies. Currently the proposal does not meet this policy as it would result in habitat fragmentation and does not safeguard Priority habitats and species highlighted within the Bold Forest Park plan.

Chapter 4 of the ES Consideration of alternatives discusses the process of consideration of alternatives in terms of alternative sites, however, no details of the alternative sites considered and subsequently discounted have been provided. In addition, the consideration of alternatives requires considerations in scale and layout which, in this case, could allow avoidance and retention of ecological features on site. However, this appears to have been discounted based on Unit 1 being customer led and therefore not considered reasonable or practical for the floorspace to be split up. However, it is not clear why the allocation 1EA could not accommodate unit 1 and no specific reasoning is provided as to why. I do not consider that the consideration of alternatives provides sufficient detail or evidence to show whether alternatives in site location or layout which would retain existing ecological features on site have been fully considered or are possible. As such the development has not shown that it has followed the mitigation hierarchy as set out within NPPF. Further detailed assessment of alternatives is required prior to determination to evidence the conclusions of the consideration of alternatives assessment and to comply with NPPF and Local Plan Core Strategy policy CQL3.

Chapter 17, Cumulative effects assesses impacts on biodiversity and ecological receptors. However, this assessment only includes assessment of Omega South Zone 1-6 and Lingley Mere, former Lingley Mere Business Park. It is not clear why Omega 7 has not been included based on the criteria set out within 17.2 of the Chapter 17. This is particularly relevant due to the loss of habitats from this site including woodland, trees and scrub, ponds and grassland. When assessed cumulatively with the proposed development there will be a significant loss of habitats and ecological network from the area covered by these developments.

Table 17-2 concludes that a major adverse effect is predicted on woodland, ponds and hedgerow features, however due to mitigation there will be an overall minor adverse (not significant) effect. This cumulative effect is predicted to be permanent and long term. For the reasons set out above I do not concur with this assessment. I advise that a revised cumulative effects assessment is required which reviews all Omega zones. This is required prior to determination.

The development will result in the loss of the majority of habitats currently on site. Habitat losses in area are detailed within Appendix 9.18 Habitat loss and creation calculations. Appendix 9.18 includes biodiversity net gain calculations for the site (Table 3). These reflect loss and gains in habitat area only. However, the use of area does not reflect the ecological value of the area lost against the ecological value of the habitat created. This is particularly relevant when comparing established mature woodland (200years +) with newly planted woodland. I advise that any attempt to assess Biodiversity Net Gain must be with the Defra net gain metric. This method has been developed to calculate Biodiversity net gain and which will come into use once the Environment Bill is enacted. This metric takes into account differences in ecological value as well as other factors and is therefore appropriate. I advise that biodiversity net gain calculations using the Defra metric must be provided prior to determination to allow an accurate assessment of biodiversity losses and gains.

The applicant should note that as this is a hybrid application future reserved matters applications may come forward after the enactment of The Environment Bill. This would legally require reserved matters applications to achieve Biodiversity Net Gain. By providing habitat losses and gains within the Biodiversity metric this will allow the establishment of a baseline which can then inform future reserved matters applications.

#### Ecological surveys

The Environmental Statement is supported by a number of ecological surveys, these are:

- *Great crested newt 2019 report, Omega Zone 8, Warrington, The Ecology Practice, dated 15.10.19;*
- *Reptile Survey Results, Omega Zone 8, St Helens, the ecology practice, May and June 2019;*
- *Water vole survey location and results, May and June 2019;*
- *Hedgerow survey results, the ecology practice, undated;*

- *Bat transect survey results, The ecology practice;*
- *Bat static locations and data, the ecology practice;*
- *Breeding bird report, Omega Zone 8, St Helens, The ecology practice, dated 01.10.2019;*
- *Invasive Plant Species report, Omega Zone 8, St Helens, WSP, December 2019;*
- *Wintering bird report, Omega Zone 8, St Helens, The ecology practice, dated 07.01.2020*

MEAS previously requested the submission of full survey reports for all ecological survey. MEAS have now received a number of these reports and understand remaining reports are to be submitted shortly. Once received and reviewed MEAS will provide a full consultation response on ecology.

#### Renewable Energy

The Environmental Statement includes a chapter on climate (Chapter 16). The developer has committed to 2600m<sup>2</sup> photovoltaic panels as well as 10m<sup>2</sup> of solar thermal systems. In addition, they are proposing heat pumps in a limited number of areas. At least 10% of the energy demand is to met by renewable and/or other low carbon energy sources, to comply with Paragraph 4 of Policy LPA13 of the emerging St. Helens Borough Local Plan 2020-2035. As a minimum, the requirements of Policy LPA13 should be complied with and this can be secured by a suitably worded condition.

#### Waste

The proposal is major development and involves excavation and construction which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.

In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

#### Archaeology

The pre-determination archaeological works (field survey) have now been completed and a report has been submitted to and accepted by MEAS. Having reviewed the results of the survey no further archaeological works are required for this application and as such archaeology does not need to be considered further. I have requested that the applicant forward a copy of the survey report to the Local Planning Authority for approval.

### **3.26 Following amendments comments were then received on 15/04/2020 stating the following;**

Thank you for consulting Merseyside Environmental Advisory Service in respect of this planning application. The proposals comprise the erection of a logistics warehouse and the erection of 3 other units for logistics and manufacturing purposes. Further to our memorandum of the 13<sup>th</sup> March 2020 in which interim ecology response was provided, please find below our comments following a review of the full survey documents.

Having reviewed the application and supporting documentation, our advice is set out below in two parts.

- Part One deals with issues of regulatory compliance, action required prior to determination and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes. Should the Council decide to adopt an alternative approach to MEAS Part 1 advice, I request that you let us know. MEAS may be able to provide further advice on options to manage risks in the determination of the application.

Following on from previous interim advice (MEAS memo dated 13 March 2020) the applicant has submitted full survey reports for ecological surveys undertaken to inform the Environmental Statement. The following ecological surveys have been submitted:

- *Phase 1 habitat, Omega Zone 8, Warrington, the ecology practice, dated 29.02.2020;*
- *Great crested newt 2019 report, Omega Zone 8, Warrington, the ecology Practice, dated 15.10.19;*
- *Reptile Survey Report, Omega Zone 8, St Helens, the ecology practice, 29.02.2020;*
- *White-clawed crayfish survey, Omega Zone 8, St Helens, the ecology practice, dated 29.02.2020;*
- *Water vole survey Omega Zone 8, St Helens, the ecology practice, dated 29.02.2020;*
- *Bat survey, Report Omega Zone 8, St Helens, the ecology practice, dated 04.03.2020;*
- *Breeding bird report, Omega Zone 8, St Helens, the ecology practice, dated 01.10.2019;*
- *Wintering bird report, Omega Zone 8, St Helens, the ecology practice, dated 09.01.2020;*

Review of the survey has confirmed that the following surveys are acceptable subject to the submission of surveyor details for the breeding bird survey and survey dates for the great crested newt survey:

- Phase 1 habitat survey;
- Great crested newt survey;
- White-clawed crayfish;
- Breeding bird survey; and
- Wintering bird survey.

However, the following surveys have limitations and further survey, information or mitigation measures will be required prior to determination:

- Bat survey;
- Water vole survey; and
- Reptile survey.

#### Bat survey

The proposed development will result in the loss of the majority of existing woodland and trees on site. Bat tree roost assessment survey identifies 169 trees with bat roost potential categorisation of low, moderate or high.

There are a total of 63 trees with moderate potential on site. Of these 52 have been subject to aerial surveys, only 11 have been subject to dawn/dusk surveys. A total of 17 trees are identified as having high roost potential. Of these all have been subject to aerial surveys and none have been subject to dusk/dawn surveys. Best practice requires dusk/dawn surveys of all trees with moderate or high potential. This has not been completed to date and is required prior to determination.

Given the lack of dusk/dawn surveys of all trees with moderate or high bat roosting potential the presence of bat roosts within woodland and trees on site has not been confirmed. As a result, it is not currently possible to confirm the assessment and conclusions within the ES in relation to bats.

Table 9-7 of Chapter 9 states that there are no bat roosts within the detailed planning application site. However, it is not currently possible to confirm this due to lack of dusk/dawn survey. Table 9-7 also states that a day roost will be lost within the outline application site (T115 in Duck Wood), however, again due to lack of dusk/dawn survey it is not possible to confirm the presence or absence of bat roosts within the outline application site. Chapter 9 proposes mitigation, it is not currently possible to assess the appropriateness or acceptability of the proposed mitigation without full survey. Therefore, the assessment of the proposals in relation to bats are not currently acceptable.

In line with Best Practice guidelines a single dusk/dawn survey to be undertaken of all trees with moderate potential and two dusk/dawn surveys are required of all trees with high potential. These surveys are required prior to determination.

Survey to date has identified bat roosts within trees T23, T32 (both just off site) and T115 (on site) and Local Plan Core Strategy policy CQL3 applies. Developments affecting European protected species must be assessed by the Local Planning Authority against three tests set out in the Habitats Regulations prior to determination. Following the outcome of the additional bat survey detailed mitigation measures will be required to allow the Council to complete the Three Test Assessment and to confirm whether an EPS licence is likely to be granted.

#### Water vole survey

Water vole survey was undertaken during May and June 2019 of 12 ditches and 16 ponds and Whittle Brook. No access was possible to Pond 1, Pond D and Pond G.

Exact survey dates and surveyor details have not been provided and are required prior to determination.

Survey is based on one survey visit only. Best practice recommends two survey visits, with a second set of visits between July and September. Dean *et al* does set out situations when a second survey is not required (Box 2 of the handbook), however this is only where water vole presence has been confirmed by the first survey or where survey has confirmed that habitat has very low suitability for water vole and there is very low suitability of water vole within the surrounding area (2km).

Survey to date has confirmed that some of the surveyed ponds are ditches are suitable. A number of ditches and ponds are either suitable and require further survey or the report has not stated whether they are suitable and therefore further clarification or survey is required to confirm suitability or presence of water voles.

Biobank data search identifies 22 records of water vole within 2km of the site. The most recent record for Whittle Brook is 1999.

Given the above factors, in line with best practice further water vole survey is required prior to determination.

#### Reptile Survey

Reptile survey was undertaken across five visits across May and June 2019. Survey dates are provided, however surveyor details are not and are required prior to determination.

Survey methods state that Froglife advice note 10 methods were followed. However, survey timing were typically in the middle of the day and therefore not optimal survey timing. Survey timing at that time of year would have needed to be earlier in the day. Froglife guidance recommends between 8.30 – 11 or later in the day between 4pm and 6.30. Due to late survey timings it is possible that if reptiles had been present they would have basked earlier in the day and therefore survey would have been less likely to have recorded reptile species. In addition, visits 4 and 5 were undertaken during light rain and this again reduces the likelihood of reptiles being present.

Assessment of data request reports identifies that there are no records of reptiles within 2km of the site. It is therefore unlikely that reptiles are present within the development site and therefore no additional surveys are required. However, due to survey limitations standard precautionary RAMS that are suitable for reptiles and amphibians should be implemented and this can be secured through a CEMP.

### Habitats Regulations Assessment

The development site is near to the following European sites. These sites are protected under the Conservation of Habitats & Species Regulations 2017 (as amended) and Local Plan Core Strategy policy CQL3 applies:

- Mersey Estuary SPA (7.3km south);
- Mersey Estuary Ramsar (7.3km south);
- Manchester Mosses SAC (15km east); and
- Rixton Clay Pits SAC (13km east).

The applicant has submitted a shadow HRA document (*Habitats Regulations Assessment: Stage One, Likely Significant Effects, Omega Zone 8, the ecology practice, dated 24/01/2020*).

The HRA identifies the following likely significant effects:

- Loss of functionally linked land (this is described as flight paths within the HRA);
- Construction Noise impacts;
- Impacts to ground water;
- Water quality as a result of impacts to water quality within Whittle Brook; and
- Air pollution effects on Manchester Mosses SAC.

The HRA concludes no likely significant effects due to the above for the following reasons:

- Loss of functionally linked land – wintering bird survey confirmed no use of the site by qualifying bird species and therefore confirmed that the site does not provide functionally linked land;
- Construction Noise impacts to qualifying bird species of the Mersey Estuary – the site is not used by qualifying bird species and therefore there will be no construction noise impacts. In addition, due to the distance to the Mersey Estuary SPA and Ramsar (7.3km) south of the site, scoped out due to distance from the site construction noise impacts are ruled out;
- Impacts to ground water and water quality – the proposed development includes a drainage strategy. This will include the use of SUDS and features to treat, convey and store surface water run-off. Whittle Brook is a main river and therefore will require Environment Agency consent to agree discharge. Based on the proposed drainage scheme there will be no significant effects to water quality; and
- Air pollution – the shadow HRA screens out air pollution impacts based on proximity to Manchester Mosses SAC. In addition, the road network leading from the site does not pass in close proximity to Manchester Mosses SAC. No likely significant effects.

The conclusions of the shadow HRA are accepted and the document can be adopted by the Council. The outcome of the Appropriate Assessment report must be included within the Planning Committee to show how the Council has engaged with the requirements of the Habitats Directive.

### Previous interim comments

MEAS made previous interim ecological comments in relation to this development (MEAS memo dated 13 March 2020). Having reviewed all ecological surveys and the ES I advise that previous interim comments and concerns remain, and need be addressed by the applicant.

### **3.27 Following amended information comments were received on 30/06/2020.**

This response provides a full ecology response on the proposed development and takes into account all addition information provided by the applicant up to the date of 17 June 2020. The following submitted information has informed this response:

- Environmental Statement including the Biodiversity Chapter and all associated appendices;
- Response to MEAS 2;
- List of survey personnel;
- Defra Biodiversity metric calculation for the outline application and full application site (dated 16 June 2020 on St Helens planning portal);
- CEMP;

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- Amended Detailed planting sheets 1 and 2
- Amended Full Landscape proposals
- Amended Landscape Strategy Revision F;
- Amended Bat survey method;
- Updated water vole survey;
- Addendum Chapter 9 Biodiversity;
- Amended Biodiversity metric calculations;
- Plot areas for the calculations; and
- Amended Biodiversity text / summary of metrics Omega 8.

The proposed development site comprises of agricultural land located to the west of the existing Lingley Mere Business Park. The development site comprises of arable fields, intersected by a network of woodland, hedgerows, ponds and ditches. The development will result in the loss of these habitats. This network currently links to Booths Wood LWS and to Mersey Valley Golf Course LWS to the south (both offsite). This network of habitats provides wildlife corridors through the wider arable landscape. This network has been identified within the Liverpool City Region Ecological Network with woodlands on site forming Core Biodiversity Area and ponds providing Stepping Stone habitat. Woodland, hedgerows and ponds are Priority habitat (NERC Act) and NPPF and Local Plan Core Strategy CQL3 apply.

The emerging Local Plan allocation 1EA forms part of the proposed development area. However, the proposed development extends further westwards of the allocation into greenbelt. Whilst the proposed allocation 1EA avoids and therefore retains woodland (Priority habitat, NERC) on site, the proposed development scheme will result in significant woodland and tree loss (5.6Ha). The proposed development would also result in the loss of additional existing Priority habitat in the form of an additional seven ponds and 770m of hedgerow in comparison with the 1EA allocation. Although it is accepted pond and hedgerow losses will be mitigated through replacement hedgerow and habitats. Whilst replacement woodland is proposed, additional off site woodland creation would be required to fully mitigate for the loss. In addition, timescales in any woodland planting reaching maturity are considerable. This is discussed in more detail in paragraph 7 below.

The applicant has submitted Defra Biodiversity Metric calculations for both the full and outline sites. The metrics show that with the proposed landscaping within the development site there will be net loss of 43% for the full application site and net loss of 50% of onsite biodiversity value for the outline planning area. For woodlands there would be a net loss across the whole hybrid scheme of 22.48 BU. This would require the creation of approximately 10 ha of lowland mixed deciduous woodland offsite. The applicant is proposing off site compensation through the provision of a Section 106 payment. Due to the scale of the biodiversity impacts, should the Council be minded to grant planning permission the provision of a Section 106 payment will be essential to fund habitat creation and enhancement off site. Payment will need to be of a sufficient level to ensure sufficient habitat creation and long-term management to fully compensate for the significant harm to biodiversity in line with NPPF.

In reaching its decision the LPA should consider the timescales associated replacing mature woodland. Whilst the applicant proposes replacement planting within the boundary of the site as well as offsite, through provision of S106 monies the time taken for any planted woodland to mature and become of equivalent ecological value and function of the existing woodland is considerable and will take decades. Until then there will be a loss of woodland habitat that will be significant. This is recognised within the ES which identifies a large negative loss to woodland initially, reducing over time.

The scale of habitat loss and the impacts of this on ecological networks is of significant concern.

### Habitats Regulations Assessment

The development site is near to the following European sites. These sites are protected under the Conservation of Habitats & Species Regulations 2017 (as amended) and Local Plan Core Strategy policy CQL3 applies:

- Mersey Estuary SPA (7.3km south);
- Mersey Estuary Ramsar (7.3km south);
- Manchester Mosses SAC (15km east); and
- Rixton Clay Pits SAC (13km east).

The applicant has submitted a shadow HRA document (*Habitats Regulations Assessment: Stage One, Likely Significant Effects, Omega Zone 8, the ecology practice, dated 24/01/2020*).

The conclusions of the shadow HRA are accepted and the document can be adopted by the Council. The outcome of the Appropriate Assessment report must be included within the Planning Committee to show how the Council has engaged with the requirements of the Habitats Directive.

### Designated Sites

The site is located close to the following designated sites and Local Plan Core Strategy CQL3 applies:

- Booths Wood LWS (adjacent to the western boundary);
- Mersey Valley Golf Course LWS (430m south);
- Whittle Brook LWS (1.3km south west);
- Dog Kennel Plantation LWS (190m north)

Due to the proximity of Booths Wood LWS there is the potential for impacts to the LWS. Potential impacts relate to:

- Construction impacts to trees within the woodland;
- Release of construction related pollutants into the woodland;
- Lighting of the woodland both during construction and operational phases;
- Impacts to woodland from loss of the wider ecological network of woodland, ponds and hedgerows.

The ES and submitted CEMP (*Woodland, Tree and hedgerow clearance method statement, CEMP: Biodiversity (Unit 1), Plot 1, Omega Zone 8, the Ecology Practice, 31 March 2020*) details construction phase mitigation measures which will prevent impacts to Booths Wood during construction and are acceptable.

The development will result in the loss of woodland adjacent to Booths Wood LWS. This will reduce the network of woodland in this area for associated species. Proposed landscaping (Proposed landscaping strategy Rev F) has been designed to maintain linkages with Booths Wood and is appropriate. However, as discussed above, there is a timescale issue to any woodland creation.

Impacts to Whittle Brook LWS, Mersey Valley Golf Course LWS and Dog Kennel Plantation LWS are unlikely to be significant due to the distance from the development site.

### Impacts to habitats Defra metric

The applicant has submitted Defra metric spreadsheets for both the full application site and the outline application site.

The metrics show losses to woodland, scrub and farmland biodiversity and gains to ponds, tall herb and floodplain wetland mosaic habitat. The metric shows that a total of 22.49 woodland Biodiversity Units (BU) will need to be provided offsite. This equates to approximately 10Ha of woodland planting. Other habitats which will require offsite compensation include scrub habitats (3.22 BU) and farmland habitats.

The Biodiversity metric must form the basis of any S106 agreement for offsite compensation.

#### Protected species

Previous comments requested surveyor details for the breeding bird survey and water vole survey. Survey dates were requested for the great crested newt survey and water vole survey. The applicant has submitted surveyor details for all surveys and these are acceptable.

#### Bats

The updated bat survey (*Amended ES Volume 2. Appendix 9.14, Bat survey*) clarifies the methods used for bat survey as follows: High and moderate trees were either subject to either 3 emergence/re-entry surveys or 3 aerial inspection surveys. I confirm this is a suitable method and is acceptable. Full survey results for all trees are presented within the bat survey report submitted. The bat survey is acceptable and no further bat survey is required.

The bat survey confirms that bat roosts are present within trees T23, T32 (both just off site) and T115 (on site). No impacts are predicted to the bat roosts off site. The bat roost on site will be lost. Developments affecting European protected species must be assessed by the Local Planning Authority against three tests set out in the Habitats Regulations prior to determination. The Three Test assessment is included within Appendix 1 of this response. By including the assessment within the Planning Committee report shows how the Council has engaged with the Habitats Directive.

Bat tree roost assessment survey identifies 169 trees with bat roost potential of low or above. There are a total of 63 trees with moderate potential on site and a total of 17 trees are identified as having high roost potential. The removal of trees will result in the loss of potential bat roosting habitat. The ES proposes the provision of 17 bat boxes however, given the scale of the loss of potential bat roost habitat greater bat box provision is required.

#### The following planning condition is required to secure bat mitigation measures:

- Bat mitigation measures as set out within page 30 of the Biodiversity chapter and within the Woodland and hedgerow clearance method statement. Which includes pre-commencement checks and the use of soft felling techniques following best practice at an appropriate time of year, are to be implemented in full;
- Updated bat surveys are required for any subsequent reserved matters applications;
- The development hereby permitted shall not be occupied until details of bat boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.

#### Water vole survey

Previous MEAS comments identified that only one survey visit had been undertaken. However, as some ditches and ponds were identified as suitable for water vole then a second survey should be undertaken. Additional water vole survey has now been completed and submitted (*Amended Appendix 9.13 Water Vole survey*). The survey confirms that no water vole presence was recorded by survey. Should two years elapse from the date of the survey, updated water vole survey will be required to inform subsequent reserved matters applications. This can be secured by a suitably worded planning condition.

The development will result in the diversion of Whittle Brook. Any diversion should be designed to incorporate habitats suitable for water vole.

Reptile survey – Previous comments identified limitations with the reptile survey and recommended that precautionary RAMS should be employed. Ecology practice argued that reptile RAMS are not required due to lack of reptile presence. On review I am content that with the deployment of an Ecological Clerk of Works on site and the methods set out within the CEMP documents that specific reptile RAMS are not required.

Breeding birds - Habitats on site provide suitable habitat for nesting birds, including ground nesting species. Breeding bird survey recorded a total of 27 species including a number of Priority species (Section 41 NERC Act) and Birds of Conservation Concern (BOCC). These include the following farmland bird species: 7 lapwing (BoCC red list, S41), oystercatcher (BoCC amber list), yellowhammer (S41), Song thrush (S41, BoCC red list), grey partridge (S41, BoCC red list), skylark was recorded offsite to the south. Other Priority and BOCC species include: dunnock (S41, BoCC amber) was recorded. A tawny owl was recorded within a tree cavity during bat survey.

The CEMP documents include measures to protect nesting birds and are appropriate.

The proposed development will lead to a loss of habitat for breeding birds, including Priority farmland species. Although proposed habitat mitigation will provide alternative nesting sites there will be an initial loss of habitat whilst these habitats mature. There will be a loss of habitat for farmland birds and farmland species such as brown hare. Any S106 will need to ensure that it provides sufficient funds to either create suitable habitat for farmland species or to enhance existing farmland habitats.

The Ecology chapter proposes provision of 19 bird boxes, given the scale of habitat loss this is not sufficient. To mitigate for this loss, details of bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site should be provided to the Local Planning Authority for agreement. The following planning condition is required.

The development hereby permitted shall not be occupied until details of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.

#### Other protected species

No evidence of recent badger use was recorded during survey. However, I note that the CEMP (*Woodland, Tree and hedgerow clearance method statement, CEMP: Biodiversity (Unit 1), Plot 1, Omega Zone 8, the Ecology Practice, 31 March 2020*) includes measures for pre-commencement badger survey and methods to prevent injury to badger during the construction phase. These are appropriate.

No evidence of great crested newt was recorded during survey. However, I note that the CEMP documents (*CEMP, Biodiversity (Unit 1), Pond Clearance method statement, Plot 1, Omega Zone 8, The Ecology Practice, 31 March 2020 and Woodland, Tree and hedgerow clearance method statement, CEMP: Biodiversity (Unit 1), Plot 1, Omega Zone 8, the Ecology Practice, 31 March 2020*) includes measures for pond clearance and drain down which will minimise impacts to amphibian species on site.

English bluebell is present within Duck Wood on the boundary of the outline application boundary (TN23). English bluebell is protected by the Wildlife and Countryside Act. Mitigation measure which protect these species will be required to be incorporated into a CEMP for any future reserved matters application.

Priority species Purple rampion fumitory is present within the motorway verge adjacent to the northern site boundary. Protective measures are detailed within the CEMP (Risk assessment, CEMP: Biodiversity, Omega Zone 8) and the plant is to be protected under Protection Zone 2.

An Ecological Clerk of Works (ECW) is to be provided during the construction phase and an Ecological Clerk of Work method statement has been submitted. The proposed method statement is acceptable. The provision of an Ecological Clerk of Works can be secured by the following planning condition:

The applicant is to employ an Ecological Clerk of Works for the duration of the construction phase. The applicant is to provide the name and details of the Ecological Clerk of Works to the Council prior to commencement of works. The Ecological Clerk of Works is to provide monthly written updates to the Council detailing mitigation and protection measures employed and any site issues.

The CEMP documents are acceptable and their implementation can be secured by a suitably worded planning condition.

#### Invasive species

Himalayan balsam is present within the site throughout the extent of Whittle Brook watercourse. Himalayan balsam is listed on Schedule 9 of the Wildlife and Countryside Act and national Planning Policy Guidance applies<sup>1</sup>. The applicant should submit a method statement, prepared by a competent person, which includes the following information:

- A plan showing the extent of the plant;
- The method that will be used to prevent the plant/s spreading further, including demarcation;
- The method of control that will be used, including details of post-control monitoring; and
- How the plants will be disposed of after treatment/removal.

The method statement should be submitted for approval to the Local Planning Authority prior to commencement of any works on site. The method statement can be secured by a suitably worded planning condition.

#### Landscape and planting scheme and SUDS design

The applicant has submitted a revised landscaping scheme (Revision F). This provides more detailed landscaping plans for the mitigation area as previously requested. The proposed landscaping scheme is to include woodland planting, hedgerows, grassland and wetlands including large SUDS ponds.

The proposed planting includes field maple (*Acer campestre*), however this species is not locally native to this area and should be replaced with a more locally native species, such as hawthorn or holly.

*Viburnum opulus* is also not locally native and should be replaced in hedgerow planting with blackthorn. In woodland edge planting it should be replaced by an increase in other native species listed.

The applicant has submitted a landscape management plan (*Landscape maintenance strategy – Omega Zone 8, St Helens, March 2020, PlaceOnEarth landscape design*). The plan is acceptable. The implementation of the management plan can be secured by a suitably worded planning condition. Full and detailed management plans will be required for any landscaping associated with the reserved matters applications. A review of the management plan and an assessment of the habitat condition of the proposed habitat creation within the 'The Triangle' landscaping area will be required at year 5. The submission of a 5 year review can be secured by a suitably worded planning condition.

The proposals include SUDS attenuation ponds, these should be designed to benefit nature conservation. The submission of design (to include profile plans) and planting plans for SUDS ponds can be secured by a suitably worded planning condition.

## **Appendix: Habitat Regulations Three Test Assessment**

The three tests are set out in Regulation 55 of the Habitats Regulations 2017. The three-test assessment of the proposals is set out below.

Test 1: Regulation 55(1)(e): “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”

The proposed development would provide economic and employment benefits to the local area. This test has been satisfied.

Test 2: Regulation 55(9)(a): “that there is no satisfactory alternative”

The proposed scale of the development will necessitate the removal of the tree containing the bat roost. Alternative site layouts which would retain the bat roost are not feasible. This test has been satisfied.

Test 3: Regulation 55(9)(b): “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”

The Biodiversity chapter (page 30) details soft felling techniques using best practice for the removal of the tree containing the bat roost. Alternative bat roost provision is proposed in the form of bat boxes. If the mitigation/compensation recommended in the biodiversity chapter is implemented, then this test would be satisfied.

### **3.28 Following amended information comments were received on 13/07/2020.**

Previous ecology comments (*Memo from Rachael Rhodes to Jennifer Bolton, SH20-004, 30 June 2020*) included a recommendation for a condition to ensure the eradication of Indian balsam from the site.

The applicant has submitted a method statement (*Himalayan Balsam Control Method Statement, The Ecology Practice, 6 July 2020*).

The method statement is acceptable. Implementation of the method statement can be secured by a suitable worded planning condition.

### **3.29 Following amended information comments were received on 16/09/2020.**

#### *EIA Conformity*

The applicant has provided an updated Alternative Site Assessment (Progress Planning Consultancy Apr 2020) as well as an Operator Statement (Appx 4 of the Planning Statement) to provide further justification for the use of the proposed development site and the design layout. Further discussions have been ongoing with regards to topic specific issues and these will help address associated cumulative impacts. From an EIA perspective the assessment is acceptable.

#### Ecology

The applicant has made a number of post-submission changes in response to consultation comments from the Environment Agency requiring an 8m easement on both sides of Whittle Brook. This has resulted in changes to the cycleway / footpath location, position of unit 1 and associated attenuation pond and landscaping. This has implications for proposed landscaping. As a result a range of updated documents and plans have been submitted.

The applicant has submitted an ES addendum (*Environmental Statement Addendum, Omega Zoe 8, St Helens, WSP, OPP DOC.17*). The addendum confirms that the ecological baseline remains unchanged following the post submission changes. There are no changes to the ecological assessment or conclusions. I concur with these conclusions.

The current route of Whittle Brook passes from Booths Wood, eastwards across an arable field to join a watercourse to the south. Under the proposals this is the proposed location of Unit 2 and Unit 4. The diversion proposed takes the watercourse from Booths Wood directly south close to the western boundary of the proposed site close to Duck Wood then to the south of Unit 4. The newly proposed route takes it further east to allow for an 8m easement. The proposed change will not make any significant ecological impacts or changes to the proposed landscaping in these areas.

A further water course diversion is proposed to a ditch in the NE corner of the site. This area is identified as future expansion land. The proposed diversion will route the ditch along the northern boundary of the site close to the motorway embankment. This does not have any additional ecological impacts.

The proposed cycleway and footpath is now positioned to allow for an 8m easement along Whittle Brook. This has had the effect of pushing the cycleway/ footpath away from the brook and Booths Wood and this is beneficial in terms of disturbance to these habitats.

An updated Landscape Maintenance Strategy (Omega Zone 8: Landscape Maintenance Strategy, March 2020 (Rev D – issues 05.08.20) Place on Earth). The proposed landscape management is acceptable. Landscape management plans have been reviewed previously (MEAS response 30 June 2020) and are acceptable.

#### Archaeology

It is advised that the amendments submitted do not change the archaeological advice previously provided and therefore those comments remain valid.

### **3.30 Forestry Commission**

#### **3.31 Initial comments were received on 4/03/2020.**

I have reviewed the application and our mapping browser does not indicate there is any Ancient & Semi-Natural Woodland (ASNW) or Plantations on Ancient Woodland Sites (PAWS) in the area. Therefore, the Forestry Commission has no comments on this application.

### **3.32 Environment Agency**

#### **3.33 Initial comments were received on 31/03/2020.**

Thank you for consulting us on the above application, on 29th January 2020. We object to the proposed development, due to its impacts on nature conservation and physical habitats.

The submitted planning application and associated documents indicate that channel realignment of Whittle Brook may be inappropriately sited and result in a deterioration in hydromorphology and biological quality elements; and □ significant of loss of riparian semi-natural habitat and lack of buffer (unit 1 does not include a sufficient buffer between the development and Whittle Brook)

The flood risk activity permit under the Environmental Permitting (England and Wales) Regulations 2016 is unlikely to be granted for the current proposal.

We therefore recommend that planning permission is refused on this basis. We will maintain our objection until the applicant has supplied the following information to demonstrate that the risks posed by the development can be satisfactorily addressed.

Reason Based on the information submitted with this application, there is a significant risk that the development may cause deterioration of water body status.

In determining the flood risk activity permit for this development, we will assess its compliance with the North West River Basin Management Plan (RBMP). We'll also consider how the development will affect water Biodiversity and the wetland environment. The RBMP states that the water environment should be protected and enhanced to prevent deterioration and promote the recovery of water bodies.

This assessment is based on Route Option 3, the preferred option selected for the watercourse diversion. Whilst it is understood, that the current channel is over-deep and heavily modified, the proposed planform should be an improvement on baseline conditions and where possible aim to mimic reference channel conditions. The assessment states that the current channel alignment predates formal mapping and there is little evidence that indicates the channel's former course. However, a review of Ordnance Survey Outdoor mapping suggests that the current alignment follows the lowpoint in the land, demonstrating a more natural planform than the Route Option 3 proposed.

Furthermore, there is insufficient design information on the proposed diversion to assess the impacts on the hydromorphology and biological quality elements of this water body. Specifically, a baseline and proposed long-section is required to assess the change in gradient and whether the proposed mitigation features are likely to be sustainable. It is interesting to note that in Table A:1 'Channel diversion route optioning' it is stated that Route option 2 would probably not function properly in terms of hydromorphology and ecology. The essentially right-angle bends would create flow conveyance issues and, due to an increase in channel length, may readily become silted at lower flow. For this Option 2, WFD compliance is assessed as unlikely. The same assessment could be made for Route Option 3 (the preferred option), which also appears to possess a right-angle bend (south-west corner of the site) and an overall increase in channel length. Following the same line of logic and based on the information provided there is a risk of deterioration to hydromorphology and associated biological quality elements.

Based on the explanation provided above the Scheme may not meet the requirements of the Water Framework Directive unless the provisions of Article 4.7 of the Water Framework Directive could be met.

This objection is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity.

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

This is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Such networks may also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the river basin management plan.

Overcoming our objection To overcome our objection, an 8 metre wide buffer zone (from the top of the bank) alongside the watercourse shall be submitted to and agreed in writing by the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision.

The schemes shall include:  plans showing the extent and layout of the buffer zone.  details of any proposed planting scheme (for example, native species).  details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

The proposed scheme does not demonstrate that natural processes have been adequately considered and therefore the proposed channel alignment is likely to be inappropriately sited. We would welcome a design which prioritises the natural functioning of the watercourse and considers integrating the watercourse within the proposed development site.

To overcome our objection the developer will need to provide a more detailed design for the proposed realignment of Whittle Brook and adjoining riparian corridor, which provides sufficient evidence to demonstrate an improvement in hydromorphology.

Specifically, a channel long section showing existing and proposed bed levels. This should indicate change in channel length and associated gradient, any change should be assessed with regard to hydromorphology and biological quality elements in the WFD assessment. □ Indicative channel cross-sections to represent all design proposals (i.e. 2-stage channel, inset berms and any changes at proposed meanders).

As part of the Flood Risk Activity Permit application and in accordance with the recommendations contained within the submitted FRA, a full hydraulic model review shall be undertaken at detail design stage of the proposed realigned channel of Whittle Brook.

Ponds and wetlands should be retained, where a pond is lost the Environment Agency would seek 2 for 1 mitigation as newly built ponds have less ecological potential compared to mature ponds.

The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

WFD Assessment amendments: Figure 1.1 – The key is incomplete and the location of watercourse is unclear.

Section 1.2 – A description of how survey reaches have been delineated should be added.

Table 3-1 – The construction of all outfalls should be screened into the WFD Assessment (two fall within outline planning and two within detailed planning) as will physically impact two watercourses and require a bespoke Flood Risk Activity Permit. While the justification states that embedded mitigation will be in place, this mitigation requires review to ensure it is appropriate and can be submitted as a FRAP application.

Table 4-1 – Physico chemical quality elements should include: Ammonia; Dissolved Oxygen; pH; Phosphate; Temperature

Figure 4.5 – Reach numbers should be added to description.

Table 4.4 – The statement 'Ability to contribute to the delivery of the WFD objectives – Yes', should be expanded upon.

Figure A.1- The key requires amending to include existing watercourse as this is currently unclear.

### **3.34 Following amended information the following comments were received on 29/06/2020.**

We have reviewed the indicative cross-sections and long-section provided. Both provide evidence that the river diversion is feasible and there is potential to provide a betterment.

However we are concerned that the proposed long section shows that, in places (i.e. chainage 100-200), a depth of approximately 4m excavation will be required to construct the channel, to achieve that depth with an assumed 1:2m bank slope, the applicant would require 16m just for the banks and up to 7m for the bed and inset berms (i.e. for the riffle feature proposed), making

a cross-section of up to 23m. A buffer of 8m either side of bank top will also need to be provided, giving a total land take of 39m. Without a location map to show the channel chainage, it is difficult to interpret where this falls on the site masterplan.

Overcoming our objection The applicant must submit a plan of the proposed development, alongside the proposed watercourse, showing the bank-top and an 8m buffer on either side. It is worth highlighting that if significant excavation is required to achieve the proposed channel gradient (as suggested by the indicative long section provided), this will impact on the land-take required for the channel cross-section, and needs to be considered and highlighted on a plan.

In addition, we also asked for revisions to the Water Framework Directive (WFD) assessment, which have not been submitted. However this could be conditioned at this stage, but it was outlined in our objection and discussed in the charged meeting. It would make most sense if it could be revised (as per the comments on the objection letter and email attached), to have an up to date working document that can be revisited and reviewed as the scheme progresses.

### **3.35 Following amended information the following comments were received on 16/09/2020.**

Thank you for re-consulting us on 20th August 2020.

Environment Agency position We have reviewed the submitted documents. We consider that they satisfactorily address our earlier concerns. Subject to the conditions below, we therefore withdraw our previous objection, dated 29th June 2020.

Biodiversity Development that encroaches on watercourses can have a potentially severe impact on their ecological value. Networks of undeveloped buffer zones might also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the river basin management plan. Therefore, we request a scheme to be agreed to protect an 8 metre wide buffer zone around the watercourse.

Condition No development shall take place until a scheme for the provision and management of a 8 metre wide buffer zone alongside the watercourse has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:  plans showing the extent and layout of the buffer zone  details of any proposed planting scheme (for example, native species)  details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan

Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. Reason To protect the land valuable for wildlife alongside the watercourses.

This approach is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and promote the expansion of biodiversity.

The diversion of Whittle Brook proposed as part of this development could have an unacceptable effect on the ecological value of the watercourse at this site.

Planning Committee  
27/10/2020

The North West river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote their recovery. Without a landscape management plan, the proposal's ecological impact may lead to deterioration of a water quality element to a lower status class. In light of the above, we request a planning condition is included requiring a landscape management scheme is included. Without this condition we would object to the proposal because it cannot be guaranteed that the development will not result in significant harm to Whittle Brook.

Condition No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to, and approved in writing by, the local planning authority.

The scheme shall include the following elements: details of maintenance regimes; details of any new habitat created on-site; details of treatment of site boundaries and/or buffers around water bodies; details of management responsibilities; and Whittle Brook channel long section showing existing and proposed bed levels.

This should indicate change in channel length and associated gradient, any change should be assessed with regard to hydromorphology and biological quality elements in the WFD assessment: Indicative channel cross-sections to represent all design proposals (i.e. 2-stage channel, inset berms and any changes at proposed meanders) and geomorphology surveys to inform detailed design proposal to be provided to the Environment Agency, including data on the reference reach.

The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

Reason To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy, adopted policy and the North West River Basin Management Plan.

As agreed at the meeting held on the 4th of May, following detailed design we expect the applicant to update the WFD Compliance Assessment and resubmit this to us for approval.

This updated assessment should address the WFD comments in our original objection letter and screen the outfalls and any other engineering works that could physically impact the watercourse into the assessment. Any works which could have a detrimental impact upon the WFD quality elements should be mitigated and proposals should contribute to WFD objectives for the water body wherever possible. Flood Risk Condition The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: December 2019/70060349-FRA/WSP) and the following mitigation measures it details: Diversion of Whittle Brook design to include increased capacity within the watercourse to reduce the flood risk currently affecting the proposed development site; surface water discharge from the site to be limited to 5.8 l/s/ha with 16,660 cubic metres of attenuation provided to cater up to the 100-year climate change rainfall event affecting the site; and raised finished floor levels - 0.3m above the 100-year climate change level for the on-site drainage system & 0.15m above proposed surrounding ground level. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development. Reason To reduce the risk of flooding to the proposed development and future occupants. Advice to applicant The watercourse along the western & southern boundary of the site is Whittle and it is designated "main river".

Under the Environmental Permitting (England and Wales) Regulations 2016, a permit may be required from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the brook. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/floodrisk-activities-environmental-permits>. As

part of the Flood Risk Activity Permit application and in accordance with the recommendations contained within the submitted FRA, a full hydraulic model review shall be undertaken at detail design stage of the proposed realigned channel of Whittle Brook.

### **3.36 Defra**

No comments received.

### **3.37 United Utilities**

#### **3.38 United Utilities initial comments on 24/02/2020;**

With regards to the above development proposal, United Utilities Water Limited ('United Utilities') wishes to provide the following comments.

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Following our review of the submitted Flood Risk Assessment, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice for a surface water scheme and foul water.

#### **3.39 United Utilities initial comments on 10/09/2020;**

A request for further time was made which was agreed. No further comments have been received.

### **3.40 Environmental Health Noise**

#### **3.41 Initial comments were received on 09/06/2020**

This hybrid application is seeking full planning permission for the erection of a B8 logistics warehouse (Unit 1), and outline planning permission for manufacturing (B2) and Logistics (B8) development (Unit's 2, 3 and 4) and associated access/infrastructure works on Land to the West of Omega South & South Of The M62 Bold St Helens.

The site subject of this application is an extension to the wider employment location known as Omega which runs alongside the M62 motorway on the boundary between Warrington and St Helens. From a noise perspective the dominant features prevalent at the site consist of the road traffic noise associated with M62 motorway and local traffic on Omega Avenue. There are a number of sensitive receptors which have been identified as those closest to the proposed development which include;

- The Stepping Stones Children's Day Nursery, Lingley Green Ave to the East,
- Dwellings at Old Hall Farm off Warrington Road to the West and
- Dwellings at Bembridge Close/Park Road to the South East.

There is no objection in principal to this proposal as the site is located in an area with existing established similar uses with relatively few residential receptors in close proximity to the site.

This application is accompanied by a noise assessment carried out by WSP which is presented as part of the Environmental Statement in Chapter 7 (Noise and Vibration) Document No. OPP DOC.11.7 dated Dec 2019 and associated appendices and has been complied following earlier consultation with WSP in relation to the scope and methodology to be employed as part of the assessment.

The report presents an assessment of effects associated with the Construction Phase (noise and vibration) and the Operational Phase (traffic generated noise and site operations) following modelling of relevant activities associated with each phase of the development.

With regards to the operational site noise a number of scenarios have been presented in the modelling namely units operating for the purpose of ambient good, chilled goods and chilled goods with mitigation in place in order to gain a full insight into the potential significance of the effects associated with the operation of the site. This has been provided to allow the proposal to be assessed on the basis of a best and worst case scenarios as the levels of noise generated from the specific units will be dependant upon their future occupants which is not known at this stage in the process for all the unit's subject to this application (eg need for refrigerated plant, equipment of chilled trailers).

Information present for the construction phase of the proposal identifies that there will be negligible adverse effects at the nearest sensitive receptors. The nearest receptors will be subject to noise during the construction phase and the report details the need to ensure assessment in accordance with BS5228 and the control measures outlined in the CEMP would suitably deal with controlling exposure to noise and vibration at the receptors identified. A condition to ensure the construction phase is control via the details provided in the approved CEMP plan would satisfactorily control this aspect of the development.

With respect to the operational phase the mitigation required to control exposure focusses mainly on the use of a variety of barriers of differing heights and lengths and a restriction on chilled goods using/accessing the eastern side of Unit 3 to ensure noise from site operations is at acceptable levels. At present there are limitations in the precise details available in relation to construction plant/equipment, layout and number therefore the mitigation proposed will need to be revisited as part of the submission supplied at the reserved matters stage.

I would ask that the following conditions be included in any permission granted for the site; General conditions included construction and operational hours and implementation of approved details.

3.42 Further comments were received on 21/08/2020 with conditions on relating to the implementation of the noise management.

3.43 **Countryside Development and Landscape Officer**

3.44 **Initial comments were received on 18/02/2020;**

The following comments are made in relation to the proposals in this hybrid application. They will make observations on key aspects of the application including impact on woodlands on site, wider ecological issues, landscape details and specifications, landscape visual impacts and access.

We are though objecting to this application primarily due to the impacts on protected woodlands and the area designated as Bold Forest Park. We also have other concerns in relation to landscape impacts (including the medieval deer park area, mitigation and ecology). In addition to this we also believe the proposals conflict with the proposals within the Council's own Draft Local Development Plan. These will be detailed within these comments and also be summarised at the end. It must be stressed that whilst objecting to the proposals, these comments will still make observations about the specific details submitted and also make recommendations in terms of improvements that could be made to the proposals. Addressing these improvements though will not though address our overriding concerns about this application and its impacts on the local environment but rather indicate that should this application gain approval, what we would still expect to be incorporated into the proposals.

#### Arboricultural Implications and Loss of Woodlands and Hedgerows

The proposed layout both within the full application and outline application will result in the loss of significant areas of woodland and hedgerows, including the loss of three protected woodlands. It will also result in the loss of other habits strongly associated with this site including numerous ponds and ditch areas as well as streams. A Tree Constraints Plan has been submitted but there is very little to indicate that trees and woodlands have been considered as constraints in any of the layouts proposed. There is effectively little evidence of

any changes to layouts being made so as to seek to retain important woodland habitats and associated features. As such this application fails to address the approach recommended within Mitigation Hierarchy, as identified within the Planning Practise Guidance, which advocates avoidance as the first principle?

The site lies within the Bold Forest Park Area Action Plan area and contains a network of protected woodlands, which were protected back in 1958 as part of tree preservation order TPO 5/2 which sort to protect the woodlands on the former Bold Estate. Historic maps show these woodlands being more or less in place as illustrated in these plans (circa 1849) and clearly show woodlands that would have been well established as woodland features by this date, indicating they are most likely to be a remnant of the historic medieval deer park. Many of these woodlands are also interconnected with other narrower woodland strips and hedgerows and connected by ditches and in some cases streams. They are an important part of the landscape character of the area being of value not just for their individual merit but as part of a wider network of parkland / farmland landscape. The proposals as they stand will require the removal of protected woodland W17 and the partial removal of W7 for the full application part of the hybrid site and the removal of the rest of woodland W7, all of woodland W6 and most of woodland W5 for the outline part of the site (the Arboricultural Implications Report uses different references for their report and relates only to the full application part of the site).

Habitat figures indicate that of 7.99 ha of woodland on site 5.63ha will be lost. Whilst 8.06 ha of new woodland will be created elsewhere on site this does not address the impact on the landscape or biodiversity of the site. (There is reference to Biodiversity Net Gain but this is simply a figure showing the additional woodland planted and is not biodiversity net gain. If the applicants wish to demonstrate biodiversity net gain they should consider an approach such as using the DEFRA Biodiversity Net Gain Metric which takes a more holistic approach to assessing biodiversity net gain). This also does not meet a minimum of 2 for 1 replacement as required by policy and so additional planting should be carried out (only as a last resort should off site mitigation be considered and for this a figure would be needed for mitigation for woodland creation / habitat improvement).

The Council has recently declared a Climate Change Emergency and as such I do not believe we should be supporting the removal of long established, mature woodland, particularly protected woodland, as even though there is a net gain in area of woodland shown as being planted it would take until the new woodland fully matured before there was any gain (or even neutral effect) of carbon sequestration (probably hundred years or so after the carbon neutral date of 2040 set out in this declaration).

The proposals show little consideration if any of woodlands as constraints. Whilst we will discuss this in more detail under the reference of the Draft Local Plan I would raise here that the building scale for the unit in the full application part of the site is of a scale that gives little scope for reducing impacts, though it could have been reduced in size and located further to the east. Its carpark also does not have to be located as shown and this also could have been located on the eastern side of the development so allowing for a better buffer zone to be created alongside the Booths Brow Local Wildlife site as well as give scope for retaining more protected woodland. The outline site simply indicates a series of large buildings with no variation in size, shape or location and indicates that there has been no consideration at any attempt to retain important woodland features? The outline part of the site in particular has effectively been treated as a blank canvas with constraints simply removed and disregarded (this includes ponds and streams as well as woodlands habitats. By simply restricting development to the area recommended for development within the St.Helens Draft Local Plan would result in almost all the key habitat features, particularly the protected woodlands being retained within any development proposal. It is therefore this desire to extend the site beyond the area for which a considered approach had been taken within this Draft Local Plan for development that is resulting in such significant habitat loss.

With regards the specifics of the Arboricultural Implications Assessment, Method Statement and Tree Protection Plan we would make a number of observations:-

The annotations on the Tree Constraints Plan are also poor and very hard to read. The public may very well wish to view these plans and so clear referencing on the plans is required.

We note that the report was prepared after only one site visit and we are surprised such a report was able to be fully prepared after only one visit? It took two of us two visits to simply look at the site and we were not taking measurements or making specific assessments of individual trees. It therefore concerns us that a full assessment has been made?

An example of this is the reference to Woodland W1 (which is the Local Wildlife Site Booths Wood) in the survey. It states in the Tree Schedule under General Observations:-

“TPO 5/2 Woodland 8 – located outside the site redline boundary with dividing water course separating.....”

However the red line of the plan shows parts of the woodland within the red line of the site. On the north side of Booths Wood the tree protection plan shows some of the woodland on the north (site side) of the stream which is within the red line. Inspecting it on the ground we found a number of trees alongside the brook on the north side within the riparian zone. These are features we would want retained and protected. However the schedule has not acknowledged them and I would be concerned the development proposals would impact them. The Tree Protection Plan submitted shows the location of the tree protection fencing set back from the ditch, which if the Root Protection area of 7.8 metres is accurate should protect these trees. However, the tree protection plan has not given consideration to the construction of the east west footpath / cycleway link running through the site. Construction of this route could have a significant impact on the root protection area of trees on the north side of the stream that are part of Booths Brow Wood. As such the Tree Protection Plan needs amendment so that the fencing encompasses this proposed path and also details how tree protection will be addressed when it is constructed, as it will also affect trees along the boundary of the site not within the area shown within the tree protection plan (in the area referred to as the landscape mitigation buffer). More detailed and accurate tree protection plans, that fully consider all the impacts of the development proposal, are therefore required including locations and detailed specifications for no dig methodologies to be used if required.

We would like more information as to exactly how the consultants arrived at a Root Protection Area of between 4.8 and 7.8 metres for the woodland areas? Under Section 4.2 it refers to Warrington Borough Council confirming the site is not within a Conservation Area and that some of the woodlands are covered by a tree preservation order. This is a relatively straight forward oversight but it is best to make it clear they checked with the correct authority i.e. St.Helens Council as otherwise the statement is correct.

Under 6.5 Site Monitoring the report that it is not considered that on-site arboricultural monitoring is necessary during construction. Whilst we would not expect a permanent site presence a scheme of this nature must have an Arboricultural Consultant fully engaged in a programme of ongoing monitoring and supervision. This report must have an Arboricultural Supervision Method statement included. It should indicate protocols and procedures for arboriculture supervision including site meetings, briefings and liaison and frequency and nature of monitoring visits. With developments of this nature there is a high risk of changes occurring to tree protection installed or issues arising and there needs to be a clear protocol for how these issues will be addressed. It must also make clear how the Council, particularly the St.Helens Trees and Woodlands Officer will be communicated with and updated on site issues. It is also likely that this arboricultural supervisor will need to liaise with other key workers such as an ecological clerk of works and other site ecologists involved in the project.

Under 6.6.5 refers to access facilitation pruning and it says that if required must be approved by the project arboriculturist. Whilst this is acceptable I would say that as there is a high chance it will be protected trees affecting the development it may require additional consent for work if it has not already been approved. I would therefore advise that the applicant provides further information in Table 5 Recommended Tree Works specifying exactly what pruning work will be required on any retained trees as if it is not specified a separate application would have to be made (which otherwise can take 6 to 8 weeks to gain consent for

if approved). For example would any trees need pruning to facilitate boundary fences or paths / roads constructed close to them?

With regards hedgerows we would see them as integral to the site and would object to their removal, particularly where they are strongly associated with existing woodlands, ponds and ditches throughout the site.

### Landscaping

The following are observations relating to the landscape strategy and landscape plans submitted as part of this application and notwithstanding we are objecting to the proposal in this planning applications they are comments specifically relating to observations made of these particular documents.

The general principles and approach identified within these landscape proposals are sound and outline the principles of the design and principles of management. However part of this application is for full consent and there should be detailed information provided as to how these areas will be managed and maintained and this information must be submitted as part of this application .e.g. what management regimes will be in place to manage wetlands and grasslands etc. as without this the landscaping will degrade, how will retained woodlands be managed e.g. rhododendron and Himalayan balsam removal as well as ongoing work? This is not something that should be conditioned but be something that is clear and detailed as part of any full submission.

Whilst the general principles of the species specifications are fine I am concerned that some of the species specifications are not appropriate for the location. In particular I would want to see the following changes:-

*Quercus petraea* is not a species common to the area being a tree more typical of more upland environments. *Quercus robur* is the dominant species and we would want to see most of the *quercus petraea* replaced by *quercus robur* (2% *petraea* is probably the typical distribution of this tree in the area).

*Tilia platyphyllos* should be replaced with *tilia cordata* which is the principle native species of lime tree generally present in the area (though some *platyphyllos* are present in woodlands in the locality).

*Ulmus glabra* is wych elm and whilst an excellent tree for wildlife it is highly susceptible to Dutch elm disease which is having a resurgence in the area and as such I would not advise planting it. I would try and replace with Dutch elm resistant varieties where individual trees are specified and in woodland environments replace it with *carpinus betulus*.

*Fagus sylvatica* is proposed and whilst present in the area I would only plant where sites are dry. Overall we suspect this site will be a wet one and so it would be better to replace with *quercus robur* (there is no issue with having woodlands that are 20 to 25% *quercus robur* as this would not be an untypical mix within the locality).

The native hedgerow mix is not typical of the locality. The plan proposes a 40% *crataegus monogyna* (hawthorn) mix but hawthorn is the dominant species in the locality. Whilst some hedges are just monocultures we would still expect a native hedgerow in the area to be dominated by this species. I would therefore suggest a mix of 80% *crataegus monogyna*, 5% *corylus avellana*, 5% *viburnum opulus* and 5% *ilex aquifolium* and 5% *rosa canina*. Planting in blocks of species is also not typical. Effectively the native hawthorn forms the matrix in which the other species are randomly scattered within it. The hedgerow should then have standard root balled trees, secured with tree stakes and ties every 10 to 20 metres using key species such as *betula pendula*, *quercus robur*, *sorbus aucuparia*, *acer campestre* and *tilia cordata* along the hedgerow.

The general principle of the distribution of hedges is acceptable but I am concerned that an opportunity to extend a native hedge along the motorway boundary has been missed. This will give better connectivity and some limited screening. There is a short section proposed but

we would want to see it along its entire boundary with the motorway. Tree species also need to be incorporated within it along this boundary and should be heavy standard. At present the landscape plan shows retained trees along the motorway boundary within the curtilage of the motorway. However, these are all ash trees and it is extremely likely that at least 95% of these trees will die from ash dieback disease within the next 10 years. Whilst we do not expect the hedge and trees to screen the development we would expect a soft boundary with scattered trees to break up and soften the boundary and appearance of the development from the motorway. This can be done with the hedge mix I have proposed and scattered trees without compromising the adjacent SUD's scheme. These details need to be added to the Preliminary Landscape Proposals plans Sheet 1 of 3 and 2 of 3.

Detailed Planting Plan POE\_199\_005 Revision A Shows landscaping along the cycle corridor. As much as we would like to see good habitat and landscape connectivity we would be concerned that the woodland mixes proposed WE 6, 7, 8, 9 and 10 may end up creating a dense scrubby corridor that may become difficult to manage and potentially intimidating to users of the path. We would recommend the hedges are kept and the woodland mixes removed. We would though recommend that the mixes are replaced with more individual heavy standard root balled trees, secured with tree stakes and ties so there is still a wooded corridor but it is one that is more open creating good habitat connectivity whilst leaving a more open corridor that feels safer to user and be easier to maintain.

The landscape plans have not included any landscape enhancements for retained features, particularly the woodlands (e.g Plain Plantation and parts of Booths Brow Wood). These need to be incorporated into the landscape plans as well as any management plans that also need to be submitted for the full application part of the site. Without addressing enhancement of retained features there is the risk of creating management problems for the new features being created? In particular I would want plans to show the entire rhododendron being removed from the retained woodland and the woodland understorey then being planted up with new native understorey (e.g hazel, holly, yew etc) and canopy species, ponds and ditches within the woodland may need Himalayan balsam removing and new native marginal plants introduced?

More information is required as to how the grassland habitats will be created. Whilst the species mixes offer diversity they can be difficult to establish and maintain. This is particularly the case on highly fertile farmland areas. Therefore we need to know how the site will be prepared so that low nutrient environments can be created that will support a sustainably managed diverse meadow environment into the future. This needs detailing in the landscape proposals with additional information in and management plans submitted for the full application part of the site.

There should be an improved buffer to the Local Wildlife Site, Booths Brow Wood. The proposed parking areas are close to the woodland and stream edge and also have a cycleway and associated features also close to this edge. The plan is treating Booths Brow Wood as part of the buffer rather creating a landscape buffer between it and the area of development activity. This will create a greener corridor for the cycleway as well as enhanced marginal habitat of benefit to breeding birds as well as foraging bats. The wider this green corridor the greater benefit to the public using it. There is a risk that a relatively narrow intimidating environment will be created between security fences and this may discourage use and linkage to the Bold Forest park Area.

It would be beneficial to have more detailed landscape plans so that it is possible to more accurately assess the location and extent of features proposed. This is particularly the case for the cycleway corridor which could do with designs more akin to the scale and detail shown on the Unit 1 landscape plans. This detail is required so that we can assess surfacing and construction standards as well as whether features such as access controls are Disability Discrimination Act compliant Landscape specifications for the construction detail of the proposed footpaths and cycleway are required and more detailed information, including cross sections for the construction of ponds on site would also be required.

Ecology / Biodiversity / Invasive Species

It is important that any comments made by Merseyside Environmental Advisory Service are given full consideration. We would though make the following observations:-

There are several reference to Biodiversity Net Gain within the submitted documents. There has though been no assessment of Biodiversity Net Gain. It is true that larger areas of woodland are being created on site (albeit not meeting a minimum of 2 for 1 replacement in terms of area of woodlands lost) but the woodlands being removed are mature and long established in the locality (continuous woodland for hundreds of years). You cannot mitigate for these woodland area losses as well as other habitats by just planting larger areas. For example many of the woodlands contain old mature trees, with dead wood and cavities. These are essential for many breeding species including a wide variety of bats, invertebrates, birds and also vital for fungi. The new woodlands created would take at least 150 years to begin to develop over mature trees with dead wood and cavities and so it is not a simple case of providing Biodiversity net gain by planting more woodland. Biodiversity gain must therefore not be confused by using a simple area calculation.

Whilst section 15 of the NPPF (2019) deals with conserving and enhancing the natural environment, paragraph 175 sets out the principles which local planning authorities such as St Helens should follow when determining planning applications. The NPPF is clear (in paragraph 170) that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. Whilst there are elements of the design which address this there has not been an assessment of biodiversity net gain for this application. The best mechanism for doing this is the DEFRA metric for calculating Biodiversity Net Gain and so if the applicant's wish to evidence they are providing Biodiversity Net Gain they are best to use this approach to evidence this.

We would though still emphasis that we do not believe this application addresses the approach that should be taken to mitigation as identified in the Planning Practise Guidance, which advocates avoidance as the first principle, before mitigation and compensation are considered.

Whilst invasive species have been identified no programme for removal has been included with this application. This is required for the full part of the application site and need to look to remove rhododendron and Himalayan balsam and indicate how it will be managed to prevent its return. The landscape plans also need to show replacement planting within the woodland areas.

No wintering bird survey has been provided with this application. Farmland sites can provide important wintering bird sites for a wide variety of species and a survey should have been carried out so as to fully assess the importance of the site for such birds (there is reference to one having being carried out for the EIA Scoping Report but no wintering survey is included within this or anywhere else in this submission). Whilst we visited the site we noted relatively large flocks of wintering farm bards which included linnets and yellowhammers (at least 12 of the later species in one flock). The site also has the potential for tree sparrow and corn bunting that is also present in the locality.

The breeding bird surveys did not seem to pick up on barn owls. The site is highly suitable to barn owls and they have been recorded in the area. We would want to see barn owl boxes provided as part of any mitigation a seven if the site is developed the ditches and grassland corridors as well as adjacent farmland provide excellent foraging habitat for these birds. If the boxes cannot go in buildings or retained woodlands then they need to go on telegraph poles within suitable habitat. They will though need nest boxes to be provided (the only one suggested is only really suitable for tawny owl, which though still required there should also be barn owl box provision).

There is a lack of information as to how the developers propose to mitigate the impacts of the proposed development. Landscape plans do show new habitat being created but little of this will benefit existing farmland species on the site. There will be a significant loss of farmland habitat used by farmland breeding birds (as well as other habitats) and the proposals to mitigate this need to be clearly set out in any full application (not as stated being detailed, within a Construction Environmental Management Plan. This needs to be provided with the application for the full application part of the site. Do the applicant's propose any off site mitigation? This may require financial contribution for farmland bird enhancement and / or programmes of funding for farmland bird feeding in partnership with local farmers? This needs further clarity and we are happy (subject to MEAS's comments) to explore options with the applicant.

I do not believe the impacts on species such as brown hare will not be adverse. This area is one of the strongholds for hares in the borough. Brown hares were more evident in the area before the adjacent Omega site was built. However hares are still regularly seen in the fields (the survey surprisingly had only one sighting?). On our site visits which were not surveys we observed 8 hares (6 definite separate hares seen within only 20 minutes of going on site) and 4 brown hares on a second visit at the western end and so we believe there needs to be greater consideration of this species and mitigation considered. Fencing design also needs to consider this species and gaps are required beneath security fencing to allow hares and other species to pass beneath so they can still access the wider farmland environment around the development).

There are bird and bat box proposals but many are shown as being put up along the north side of Booths Brow Wood. Whilst there are some trees on the north side of the ditch this does not completely coincide with where they are showing boxes being erected. Whilst I support the provision of such boxes are there trees in this location on the north side of the ditch and if they are on the south side does the applicants have control of the south side i.e. are the boxes going up on the applicant's land as they may be outside of the red line of the site. This needs confirming? Clearly this needs mitigating especially with so much woodland being removed much of which contains good nesting, roosting and breeding sites for breeding birds. It may be a mitigation programme is required for offsite provision in addition to the boxes proposed, particularly if they cannot be erected as shown?

With regards the assessment of bat roosts on site I feel there needs to be more information provided. Section 9.3.67 of the Environmental Statement says that 169 bat roosts were identified as having low / moderate / high potential and yet it was concluded that after further survey work only 3 roosting sites of which only one was on site were identified? This seems an extremely low figure considering how many potential sites were identified. From our inspection of the site, which was not a survey, we observed that there were a significant number of good moderate and high potential roosts sites throughout the woodland areas on site, including those woodlands proposed to be removed. In surveying to assess bat roosts it is particularly time consuming, often requiring multiple, trained observers for each potential tree as observation of as emerging and returning to roosts is very difficult to do. We would therefore expect to know more about where these potential roosts were, exactly how and when they were surveyed and by whom? It also needs to be acknowledged that bats are highly transitory in how they use woodland roost sites and are likely to move locations, sometimes from day to day so the presence of these roosts, especially the medium and high potential roosts. We also require similar supporting information for how the transects were conducted and by whom? The edge of Booths Brow Wood is identified as being of low value but this edge needs to be treated as being of higher value as it is clearly being used and is in association with other habitats such as ponds and streams. With further landscape enhancement as proposed it could become more important and so a good buffer strip with suitably designed lighting is important particularly along this boundary.

As with arboricultural supervision an ecological clerk of works / ecologist will need to supervise key aspects of the work on site and a methodology for this will be required.

## Landscape and Visual Impact Assessment

The methodology for this assessment has been carried to the industry standard guidelines and is of an acceptable standard. It includes photomontages that are a representative sample of views to give an accurate picture of the proposed development. The assessment of impacts is comprehensive in scope and generally, the conclusions on the severity of impacts can be accepted as accurate. We do though have some concerns about the overall conclusions, which seem to place an over reliance on the ability of the landscape measures proposed as part of this development to mitigate the impacts of the proposed development. There are a number of major / adverse effects from properties and areas of open space such as Griffin Wood and also key routes in Bold Forest Park. It is though clear from a number of the photomontage images provided that regardless of how tall new woodland areas and landscaping get they will have limited impact on mitigating these major / adverse effects. What has not been considered within any of the proposed mitigation measures is the scale of the proposed building in the full application part of the site. It is clear from the photomontages provided that from many of the viewpoints the views of the existing buildings are limited whilst the proposed building is clear visible within the landscape. Many of the existing buildings are around 30 metres in height and this clearly indicates that the scale of the proposed building is of a magnitude beyond these (41.6 metres). Clearly a reduction in this height would be a highly effective way in reducing these major / adverse impacts.

### St.Helens Local Plan 2020-2035 Submission Draft January 2019 / Greenbelt

Of particular concern is that the St.Helens Local Plan 2020-2035 Submission Draft January 2019 has indicated a development site in the locality LPSD Ref: 1EA Omega South Western Extension, Land North of Finches Plantation, Bold. This allocation has a western boundary that falls considerably short of where this development is proposing the extent of development. We therefore cannot support this application, as many of the key detrimental impacts of this proposal on the landscape and ecology of the area stem from the scale and extent of the proposal. Were the development to be confined to the area proposed in the Draft Submission then the ecological and landscape impacts would be greatly reduced. The need to remove any protected woodland would almost be negated and the number of ponds lost would be greatly reduced.

I am also concerned about the statement in 7.16. c) of the Planning Statement, which states that “there is a strong prospect of the site being allocated for development in the new Local Plan.....”. This statement is misleading as it is only a proportion of the site on the eastern side of this application site that is proposed for development within the Draft Local Plan.

The Planning Statement submitted also states in 7.16. d) that “the application site will result in a new defensible, long term boundary for the greenbelt and not result in the release of additional land for development”. It could be argued that the existing greenbelt boundary does this but accepting that the Draft Local Plan has identified a new Greenbelt boundary we would argue that the greenbelt boundary proposed in this document is a strong greenbelt boundary being made up mainly by well established, mature woodlands hedgerows, streams and ditches, which are often in combination making for a clear and distinct greenbelt boundary. If this boundary was respected rather than exceeded, as this application is proposing, then, as already stated, most of the key landscape features would remain intact, so greatly reducing the detrimental impacts of the proposed development on the local landscape and ecology of the area.

### Bold Forest Park / Heritage / Access

The site lies within an area covered by the Bold Forest Park Area Action Plan, which is a statutory document which sets out detailed policies and actions to develop and sustain the Forest Park. Bold Forest Park is seen as a place for outdoor recreation and activity providing a platform for economic growth and rural entrepreneurship, principally in the visitor economy, whilst providing leisure opportunities for the community and wider region.

Policy BFP ENV3: Heritage states that “St.Helens Council will protect the heritage of Bold Forest Park by protecting designated and undesignated assets.... and “ensure that all new developments respect the significance and, where possible enhance the distinctiveness of the built and historic environment of the Forest Park area in their location, design and layout”. However, this proposal extends into the area designated as the medieval Deer Park and will remove key features of this landscape, particularly the protected woodlands and as such does not respect or conform to this policy. Had development been restricted to the zone identified in the Draft Local Plan for development this would not be the case (assuming the development was to a scale appropriate to the location).

We have already discussed impacts of the proposal on landscape and ecology and clearly from these comments it is clear that this development does not meet the requirements of policy BP ENV1: Enhancing landscape Character or Policy BFP ENV2 Ecological Network.

Policy BFP INF6: Creating an Accessible Forest Park looks to see the network of routes both enhanced and protected. This includes the development of a proposed bridleway. This route would have used the farm bridge that will be truncated by this proposed development. Removing this link will effectively remove the potential to create this route (though we would acknowledge that any route proposed would rely on the support of landowners to deliver it. An alternative east west cycle route / footpath is proposed and it would be ideal to have this designed to not only provide access for cyclists and pedestrians but also provide access for horse riders. This would require modest modification of the route corridor to facilitate this. To provide ongoing linkage it would still require negotiation with other landowners (or land acquisition) but by at least designing in the propensity of the route to accommodate horse riders it will at least provide the opportunity for the development of a bridleway network.

Whilst it is important to promote sustainable development and use of the site it may be beneficial to provide some public car parking for members of the public to use so they can access any new landscape / ecological areas. This is particularly important for any people with mixed abilities or designated as being disabled. The provision of some public car parking (which is absent from most of the current Omega) would be beneficial, especially if any paths created can also be Disability Discrimination Act compliant.

To some extent the same issues arise with cycling. Whilst we support the idea of a cycle route it will at present be truncated by only connecting to a public footpath at its western end. I would though still encourage the idea of the route being a multi user route as the proposed ecological / woodland area at the western end of the site, in combination with the woodland at Griffin Wood on the north side of the motorway may still provide a destination for pedestrians and cyclists, particularly those linking from estates in Warrington to the east who to date have not been able to access the area due to the lack of historical linkage that is a legacy of the area having been a secure airbase area for many years. It will be important though to make sure these routes are clearly signed and promote Bold Forest Park as part of any signage strategy for these routes (including the potential for a heritage trail).

Policy BF Econ1: Supporting Economic Growth supports the idea of developing the local economy but says it should comply with national and local planning policies, particularly with regard to greenbelt policy. Therefore, despite wishing to support sustainable development within the Forest Park, for the reasons already stated, we cannot support the proposals in this application, particularly as we feel this development proposal does not conform with Policy BFP1: A Sustainable Forest Park. This is also evident when assessing the effect against policy BFP SN1: Meeting the development needs of the Borough in a manner appropriate to the Forest Park as clearly we do not believe this development is not resulting in the loss of critical infrastructure elements of the Forest Park (particularly though its impact on existing woodlands).

Policy BFP SN2: Planning Obligations requires development to contribute to the infrastructure of the Forest Park. Whilst there are some onsite elements proposed such as new footpath / cycleway, improvements and some mitigation for landscape and biodiversity that must also be a development contribution. This will require an appropriate sum to be paid that can be used for the improvement in the infrastructure of Bold Forest Park as well as further enhance and

mitigate landscape and biodiversity. Funds should therefore be provided for access improvements, signing, interpretation and habitat creation and management within the Forest Park as the impacts of this development are far reaching within the forest park. Also, as already illustrated some improvements will have a limited effect if enhancements cannot be made beyond the site boundary. How for example will cyclists get to the cycleway if coming from the north at Gorse Lane, signing would be required as well as other physical enhancements (also are there other potential links to the proposed path)? At present there is no information as to what this funding would be and so needs further discussion and agreement as part of any development proposal for this site (this also needs to be linked to the short fall in habitat mitigation on site).

#### Sankey Catchment Plan

The site lies within the area covered by the Sankey Catchment Action Plan 2018 and so any development should therefore contribute positively to catchment management objectives and enhance riparian habitats. Our concern would therefore be that not only are significant changes proposed to existing water courses but significant areas of pools and ponds are proposed to be removed. Therefore any SUDs schemes or changes need serious consideration in terms of these impacts. As many of these water course areas are integral to the woodlands that we are objecting to being removed we would therefore expect existing pools and watercourses in relation to these features be retained and enhanced as part of any development proposals for the site. The comments of the Ilfa consultees for the Council therefore need consideration.

#### Phasing of work

Particularly in relation to the full application part of the site we would like more information to be submitted clarifying the phasing of works on site, particularly in relation to proposed habitat creation and landscaping / access works. It would be important to fully establish any new habitats and infrastructure created at the earliest opportunity.

We are objecting to this application primarily due to the impacts on protected woodlands, as well as other associated habitats such as ponds and streams and believe there will be a detrimental impact on the area designated as Bold Forest Park, as well as greenbelt, including key landscape features such as the medieval deer park area. The proposals are therefore not in keeping with a number of the policies detailed in the Bold Forest Park Area Action Plan. We also believe that the application does not respect the proposals put forward for development in the locality within the St. Helens Local Plan 2020-2035 Submission Draft January 2019 and the extension of development beyond the limits shown in this plan are the primary reason for significant habitat loss, particularly the removal of protected woodlands.

Aside from our objection the application plans as submitted also require modification even as they currently stand (these comments are made in the event that our reasons for objection to the wider proposal are not given consideration). Further information is required as part of the Arboricultural Report submitted and landscape plans need amendment in terms of additional features, layout and also inclusion of removal of invasive species within habitats and enhancement of retained woodlands. In addition Landscape Management plans are also required so as to give clarity as to exactly how the site will be managed in perpetuity.

The scale of proposed buildings, particularly for the full application site needs consideration so as to reduce major / adverse effects on Bold Forest Park and a number of residencies in the locality.

Further information is required in relation to ecological information submitted, particularly in relation to the bat surveys and in particular assessment of bat roosts on site. Brown hares also need greater consideration and information is required as to how invasive species will be controlled. As with arboricultural supervision, a methodology for an ecological clerk of works / ecologist will be required as part of any full submission. Additional information is required in terms of biodiversity net gain if claims of biodiversity net gain are being made within an application. Impacts on the Sankey Catchment also need consideration.

As with offsite mitigation there needs to be a financial package agreed as part of any proposal for a contribution to Bold Forest Park.

**3.45 Following amendments the following comments were received on 18/05/2020 and amended 22/05/2020.**

The following are additional comments made in response to new documentation provided, particularly in relation to landscaping and tree protection, as well as additional comments made in the document entitled "Response to Trees and Woodlands Officer Response Dated 18<sup>th</sup> February 2020. As such our previous comments still stand unless otherwise changed here in this response. In particular our overall position remains the same namely:- *We are objecting to this application.*

**Arboricultural Implications and Loss of Woodlands and Hedgerows**

We have not changed our position on this and believe that despite the socio and economic information in relation to alternative sites, submitted this does not consider the significant constraints posed by a landscape within Bold Forest Park that contains several protected woodlands. The alternative site review looks exclusively at the socio and economic justification and we do not believe it considers the ecological and landscape constraints within the scale and nature of this proposed development.

The applicant's have said that we had not previously asked for Biodiversity Net Gain data. Our comments though were in response to the use of Biodiversity Net Gain within the documents they submitted. As such we believed simply equating this to an increased area of habitat being created did not represent what Biodiversity Net Gain is now understood to be. As such we advised that if this was going to be expressed then the best way of doing this was to use the DEFRA Biodiversity Net Gain Metric. We do though appreciate that the applicant's have now professionally prepared and submitted Biodiversity Net Gain Metrics and we have commented further on this under Ecology / Biodiversity / Invasive Species.

With regards the specifics of the Arboricultural Implications Assessment, Method Statement and Tree Protection Plan we would make a number of observations:-

This was written in error and should have said two site visits not one and as will be apparent from our comments we still believe more detail is required for a scheme of this nature and scale.

A revised Tree Protection Plan has been provided. Whilst it is an improvement on the previous plan it still has not fully addressed our concern with regards the level of detail we require for such a large site with such significant areas of woodland. There are a number of areas in particularly where this applies. The trees on the north side of the brook alongside Booths Wood need to be clearly surveyed and not just be covered by blanket coverage of Booths Wood. There is also another factor that will require more detailed information to be provided and this is that there is reference to a Booths Wood Drainage Discharge Method Statement being provided. There is a heading in Appendix G of the CEMP but there are no details within this Appendixes in relation to this subject. Regardless of this the Tree Protection Plan should tie in with this and the drainage plans show a drain / outfall being constructed into Booths Wood at its north east corner.

We would want to see more detailed plans produced, as this is an extremely large site to be covered by a plan of this scale. I would advised a number of tree protection plans are produced covering all areas affected with detailed plans where there are high risks. We would include the boundaries with Plain Plantation (WA2 -A2 and G7-B2) and the northern boundary of Booths Wood (WA1-A2). Their Root Protection Areas should be clear and the tree protection fencing should relate to this (the fencing may do this already but it simply isn't clear from the level of detail provided). Secondly there needs to be a second tree protection plan for this the Outfall into Whittle Brook area or an additional annotation within a detailed tree protection plan, making it clear exactly how the woodland / trees on the north side of the brook will be protected whilst this outfall is being constructed. We would suggest this is detailed as it

is a high risk operation as to construct the outfall you have to work within what is currently being shown as the tree protection area on the south side of the tree protection fencing. Finally, the tree protection plan needs to consider the 'Triangle' the west this area will have extensive work carried out on it with ponds and regrading occurring, as well as other landscape work and habitat creation taking place. All of this has the risk of damaging adjacent trees, especially as plant will be being used on site. The Tree Protection Plan has not considered these boundaries and so it needs to show tree protection to ensure Plain Plantation (WA2-A2 and G7-B2) or the trees on the southern boundary of the 'Triangle' (G8 and G9) are protected.

Whilst "no dig information" has been provided more detailed plans, appropriate to a scheme of such a large scale have not been provided and so hopefully with these comments, indicating exactly where we feel more information is required, it should be relatively straight forward to provide this information.

Allied to the work on the outfall into Whittle Brook we would advise that the arboricultural consultants still check their tree work schedule as it may not have taken into account the drainage work proposed into Booths Wood (they may have not been aware of it or it may not have been proposed at the time of the survey and preparation of the document, though it is referenced in the Ecological Clerk of works information?). If tree work is required such as pruning or removal of additional trees to facilitate the outfall then this needs to be updated and included in the tree work schedule. In tandem with this the applicant's need to provide the Booth Wood Drainage Discharge Method Statement which should complement a revised Tree Protection Plan and contain clear data about how the outfall is being constructed and how the trees and ecology in the location are also being protected throughout construction.

We must emphasize that this detail is important, particularly along the Booths Wood boundary, as it will help to give clarity to exactly what is being done to protect trees, particularly in terms of what is being retained and what is being protected. From previous experience this sort of work can lead to errors being made, which when dealing with protected woodland can have serious consequences, as such our comments are very much about achieving clarity and protecting all those involved in the work against such risks.

We had previously requested an Arboricultural Method Statement be provided. This has now been done and it has been professionally prepared and we are happy with the details within it (were consent to be given we may need to condition further details in relation to communication and reporting to the Council).

#### Landscaping

Amended landscape plans have been provided for the wider infrastructure of the site and for the unit within the full application part of the site. We had been happy with the general principles adopted but made some specific requests with regards species composition and also for existing woodlands retained to have invasive species removed and managed. This was particularly the case with rhododendron. Whilst the developers are not obliged to remove it, the suggestion was made because the principle should be that if landscape features are retained then they should be enhanced to maximise their landscape and biodiversity potential. As such removal of rhododendron in the first year, as part of any initial landscaping, is essential if the understorey of these woodlands is to be enhanced with new native woodland under planting as so improve its species diversity and structure. There may be some refining of delivery of this work through conditions particularly with regards the timing of removal in relation to delivery of the landscaping but otherwise these changes are a positive improvement on the original landscape plans.

The details within the Landscape Plans and Landscape and Ecology Management Plans is acceptable. It may be conditions needs to be considered that ensure review and reporting back on management to ensure that management is ongoing as agreed. It would also be ideal to know who has been appointed to manage these areas so the Council can clearly communicate this to the public when queries come in about the area.

There have been improvements to the buffer zone where the cycleway is proposed. We are though concerned that the landscape plans for the unit within the full application, as well as the amended proposed Site Plan, show additional parking extending towards Booths Wood taking up what had been a wider Landscape buffer. This means there are contradictory plans within the application with some landscape plans showing the original layout and others the amended layout. This also goes for most of the plans within the CEMP which show the old layout and not the amended layout. Our preference though is to see that the additional car parking is removed that has been extended towards Booths Wood.

#### Parameters Plan

Allied to the landscaping [we would raise concern as to the status of the indicative landscaping within the amended landscape strategy and masterplans. These plans show landscaping along the boundary as well as within the Outline part of the site. Our concern is that this may carry little weight at full application stage, particularly as a clients exact specifications could propose development within these perimeter areas. There is a Parameters Plan submitted but this tells us little other than the extent of the outline and full part of the site. We believe there therefore needs to be greater information submitted in the form of a Green Parameters Plan showing the minimum green buffers to the site. If the Site Landscape Strategies are to have any meaning then we would suggest that this should show a green buffer in line with what they are showing within the Landscape Strategy Plans for the Outline area of the site. These are effectively are the minimal areas where there will be no development and where the landscaping will be in line with the proposals within the Landscape Strategy and Plans. Such information has been provided for similar outline applications elsewhere within the Borough.

#### Ecology / Biodiversity / Invasive Species

As previously stated it is important that any comments made by Merseyside Environmental Advisory Service are given full consideration and we would support their previous comments.

We note that a Biodiversity Net Gain metric has now been provided for the full and outline part of the site. As previously stated we raised this point in reference to Biodiversity Net Gain being used in submitted documents but were concerned this was simply being equated to increased area of habitat creation. We would therefore await MEAS's assessment of these Metrics and if the figures are accepted then were permission given for this application (and as stated we are objecting to the application) then the negative net gain figures need to be equated to an off site mitigation sum for habitat improvement, creation and management for off site biodiversity net gain. Whilst the creation of the 'Triangle' for landscaping and biodiversity are positive features the uncertainty of what will be delivered within the outline and a significant shortfall with figures of -39.43 units for the full application and -38.51 units for the outline mean that a significant sum would be required as part of any Section 106 Agreement for offsite mitigation.

In relation to the Biodiversity Metrics I would though observe that there has been no assessment of the impacts of diverting the river and drainage channels on site and this should be accounted for in the River Units assessment part of the Metric which looks at the impact on linear units of river sections affected. This should be included and the metric amended accordingly.

We note the observation about barn owls and would look to see barn owl box provision conditioned for the outline part of the site, though would prefer it to be detailed within the application as other bird box information has been.

At this stage we cannot see any information that specifically pertains to this issue having been submitted. There is a fencing detail submitted but this does not deal with habitat connectivity and we cannot find any information in the CEMP as stated also detailing the measures that will be taken to maintain habitat connectivity where fencing is being installed.

We are happy to support MEAS's position in relation to the Bat Survey information provided.

An Ecological Clerk of Works Method Statement has been submitted and we will be happy to support MEAS's position with regards the details once they have commented. Whilst we acknowledge the applicant's have professionally prepared this information further refinement, particularly in relation to communication with the Council will be required as with the Arboricultural Supervision should conditions be applied.

#### Landscape and Visual Impact Assessment

Whilst we acknowledge the applicant's have very specific requirements for the proposed building this should not be the only factor that defines the design of the building as this proposal is defined as having significant and adverse in terms of the landscape impacts and so cause significant harm. The design of the building should work within the constraints of the locality within the Bold Forest Park and so be designed to reduce the impacts or consider a site where they will not have such adverse impacts. As such our previous comments on this issue still remain our position.

#### Bold Forest Park / Heritage / Access

We acknowledge that creating car parking can cause management issues. However, if car parking is not provided then other access to the site will need to ensure that it is of a high standard and clearly signed. This means links need to be complete but at present cycle links do not completely link to Highways. We do not currently see any evidence of any clear and concrete proposals to resolve this. Further contribution is therefore likely to be required to provide off site enhancements if they are deemed to be practical in accordance with Policy BFP SN2: Planning Obligations of the Bold Forest Park Area Action Plan.

#### Phasing of work

This position still stands and whilst there is more information provided within the Landscape Management Plan we would like more clarity about the exact timing of when landscape works would be completed and how it relates to the phasing of the construction on site (e.g. will all landscaping being completed prior to occupation of the proposed unit and how does this relate to the wider infrastructural landscaping to be delivered)?

#### Summary

We are acknowledge that there have been improvements to the details within the landscape plans and landscape / ecology management plans submitted. Additional information in relation to tree protection and ecology has also been submitted but our position still remains that we are objecting to this application. This is primarily due to the impacts on protected woodlands, as well as other associated habitats such as ponds and streams and believe there will be a detrimental impact on the area designated as Bold Forest Park, as well as greenbelt, including key landscape features such as the medieval deer park area. The proposals are therefore not in keeping with a number of the policies detailed in the Bold Forest Park Area Action Plan. We also believe that the application does not respect the proposals put forward for development in the locality within the St.Helens Local Plan 2020-2035 Submission Draft January 2019 and the extension of development beyond the limits shown in this plan are the primary reason for significant habitat loss, particularly the removal of protected woodlands.

Our comments within this response have also highlighted were we have concerns about specific information submitted and would require further information and amendment where relevant in relation to the areas we have highlighted within these comments.

#### 3.46 **Following amendments comments were then received on 26/08/2020.**

The following are additional comments made in response to new documentation provided, particularly in relation to landscaping and tree protection. In particular our overall position remains the same namely:- *We are objecting to this application.*

#### Arboricultural Implications and Loss of Woodlands and Hedgerows

Planning Committee  
27/10/2020

We have not changed our position on this and believe that despite the socio and economic information in relation to alternative sites, submitted this does not consider the significant constraints posed by a landscape within Bold Forest Park that contains several protected woodlands. The alternative site review looks exclusively at the socio and economic justification and we do not believe it considers the ecological and landscape constraints within the scale and nature of this proposed development.

With regards the specifics of the Arboricultural Implications Assessment, Method Statement and Tree Protection Plan we would make the following observation: -

More detailed tree protection plans have now been provided and these also take into account the construction of an outfall into the brook and protection of trees on the wider site. These amendments combined with the provision of an Arboricultural Clerk of Works Method Statement mean there is sufficient information, to an appropriate standard, that has been provided to address tree works and tree protection on site, should the application be approved.

#### Landscaping

Amended landscape plans have been provided for the wider infrastructure of the site and for the unit within the full application part of the site. These have been further amended following concerns about the pathways being constructed in the buffer zone to the brook. Whilst it is regrettable the path has now been pushed up to the boundary fence in places, overall the proposals are acceptable and have been well specified. This includes removal of rhododendron from Plain Plantation and the under planting of the wood which should be beneficial to biodiversity within the woodland.

The details within the Landscape Plans and Landscape and Ecology Management Plans is acceptable. Both for the full application part of the site and the outline part. It may be conditions needs to be considered that ensure review and reporting back on management to ensure that management is ongoing as agreed. It would also be ideal to know who has been appointed to manage these areas so the Council can clearly communicate this to the public when queries come in about the area.

#### Parameters Plan

Since our previous comments have been made a number of changes have been made to the landscaping proposals for the outline application part of the site. Our concern had been that they were simply indicative and so at a reserved matters stage we may have no guarantee of the extent or location of the landscaping or even the position of the river. The outline landscaping proposals have now been amended and they have been defined as parameters for the site (Parameter Plan 3 Outline Landscape). This means that the areas shown are now defined as landscape areas and must not be reduced down in size. We are still concerned the buffer is quite narrow on the southern boundary, with the river taking up much of the width. This may reduce the amount of screening that the landscaping can be provided on that buffer. We are also concerned that the river is still annotated as "Possible location of proposed diversion...." This leaves it too open for the route of the diversion to be changed. Whilst it being moved closer into the site away from the perimeter would be acceptable conditions would need to be applied to ensure it was not moved any closer to the boundary as this would adversely impact what remained of the protected woodland, Duck Wood.

#### Ecology / Biodiversity / Invasive Species

We support MEAS's previous comments and advice they are consulted on any new information submitted.

With regards previous comments relating to Biodiversity Net Gain, the DEFRA Biodiversity Net Gain Metric has been prided and this has shown that there is a -39.0 biodiversity unit deficit for the full application part of the site and -74.12 biodiversity unit for the outline part of the site. These figures reflect that there are much wider and greater impacts to biodiversity than the removal of 5.63 ha of woodland. They also show that even with on site compensation for the

loss of habitats (which includes 8.06 ha of new woodland) there is still a large and significant loss of biodiversity being caused, with farmland, ponds, grassland and hedgerows all being lost or adversely impacted by the these development proposals. Whilst this level of loss of biodiversity should not be acceptable were the application to be approved then significant funds would have to be made available through Section 106 agreement to be able to create compensatory habitats and biodiversity enhancements to existing sites to be able to even begin to compensate for the harm to biodiversity from these proposals. This is reinforced by National Planning Policy with the NPPF stating "Planning policies and decisions should contribute to and enhance the natural environment by:-

(Paragraph 170d). ...minimising impacts by providing net gain for biodiversity, including establishing coherent networks that are more resilient to current and future pressures".

Also under paragraph 175 of the NPPF it sets out the principles which local planning authorities, such as St.Helens, should follow when determining planning applications. Here it states:-

"When determining planning applications local planning authorities should apply the following principles:-

If significant harm to biodiversity resulting from development cannot be avoided (through location on an alternative site with less harmful impact) adequately mitigated, or as a last resort, compensated for, then planning permission should be refused".

The fencing detail has now been provided to address the above comments and is detailed within the plan entitled "Fencing Details Unit 1 DWG14 No 6385-191H"

We are happy to support MEAS's position in relation to the Bat Survey information provided.

An Ecological Clerk of Works Method Statement has been submitted and we will be happy to support MEAS's position with regards the details once they have commented. Details have now been added that include communication with the Council though this should be reinforced through condition to ensure there is clear communication between the developers and the Council, as well as evidence of ongoing monitoring and supervision being provided.

**Bold Forest Park / Heritage / Access**

Our previous comments still stand in relation to these subjects. There is very little reference to Bold Forest Park in the application (it is not referenced in the Environmental Statement?) and I would stress that the landscape and visual impact of the proposals will also be significant and adverse in terms of their impact on the Bold Forest Park area.

**Phasing of work**

Landscape plans have clarified the phasing of some of the operations such as the rhododendron removal and woodland under planting.

**Summary**

Many of the specific details that we raised have been addressed in relation to the plans and supporting information submitted. Additional information in relation to tree protection and ecology has also been submitted but our position still remains that we are objecting to this application. This is primarily due to the impacts on protected woodlands, as well as other associated habitats such as ponds and streams and believe there will be a detrimental impact on the area designated as Bold Forest Park, as well as greenbelt, including key landscape features such as the medieval deer park area. The proposals are therefore not in keeping with a number of the policies detailed in the Bold Forest Park Area Action Plan. We also believe that the application does not respect the proposals put forward for development in the locality within the St.Helens Local Plan 2020-2035 Submission Draft January 2019 and the extension of development beyond the limits shown in this plan are the primary reason for significant habitat loss, particularly the removal of protected woodlands.

3.47 A list of suggested conditions were received on 02/09/2020 relating to implementation of landscaping and protection measures.

### 3.48 **Air Quality**

#### 3.49 **Comments received on 13/03/2020;**

The internal areas are 81,570m<sup>2</sup> with 576 car parking spaces, 156 cycle spaces and 48 motorbike spaces with 35 spaces reserved for future EV charging spaces.

#### Operational phase

The modelling assessment has been undertaken using ADMS Roads which is widely used for this type of assessment.

The assessment measures impacts against the IAQM/EMAQ+ guidance 'Planning for air quality'. The assessment has utilized data from St Helens and Warrington Borough Council's monitoring programs and background data from the DEFRA background maps.

In my judgement the assessment methodology is robust and consistent with this type of assessment and therefore the conclusions drawn from this will be reliable.

Further clarification was sought on the cumulative impacts of the development and the following reply received 'The AQ assessment included the cumulative developments considered in the traffic assessment, details of which developments were considered are in section 12.3.36 of the Traffic ES chapter'.

Modelling has been undertaken for 3 scenarios; background year of 2018 (shows two exceedances of annual mean R9 and R12 in Warrington), future baseline (do minimum – without development) in opening year 2021 and design year 2036 (both show no exceedances).

In 2021 – opening year all receptors will be below the national objective, both with and without the development. The greatest increase in annual mean is predicted to be at receptor R5 at 20 Trentham Gardens, Warrington, with a 0.3µg/m<sup>3</sup>.

The greatest increase in annual mean PM10 concentration is predicted at receptor R5 Trentham Gardens with a concentration change of 0.1µg/m<sup>3</sup> which is a negligible magnitude of change. All modelled receptors also have a negligible magnitude of change for PM2.5 in the opening and design years of the development.

For good practice, sensitivity tests were also undertaken and support the conclusion that the impact on air quality is 'not significant'

Overall the predicted local air quality effect associated with the operation of the proposed development is not significant. However, the development will still have a detrimental impact on air quality, however small and this is in opposition to the overall aims of the action plans for St Helens and Warrington.

The assessment deems that mitigation measures for the development are not required, however it does outline opportunities for enhancement and are outlined in the IAQM/EMAQ+ planning guidance as 'good practice'. Given that there is an overall detrimental impact on air quality, all be it 'negligible', and the development land is green belt, it is the opinion of in the interests of protecting the environment and air quality that the following enhancement opportunities are included within the development.

-The provision of at least one Electric Vehicle (EV) 'fast charge' point per 1,000 m<sup>2</sup> of commercial floorspace;

-Support for and promotion of car clubs for employees;

-Improvements to cycling and walking infrastructure; and

-Inclusion of EV points for freight vehicles, where available

The application states that there are 35 spaces reserved for future EV parking spaces, which is below the level proposed above. A proportion of the EV spaces should be put in prior to commencement at a level of 1 space for every 30 parking spaces which equates to 20 spaces and the rest should have the infrastructure to enable more EV spaces as uptake increases.

Conditions advised regarding construction dust, travel plan and electric parking.

### 3.50 Lighting

#### 3.51 Comments were initially received on 28/02/2020

Section 4.0 Design Guidance: Bats - the report claims that "Bat surveys have identified low foraging and commuting activity for common pipistrelle, soprano pipistrelle and noctule bats along the northern boundary of Booths Wood" - is the developer required to provide evidence of this claimed survey? The northern boundary of Booths Wood is in close proximity to the proposed footway / cycleway link to the M62 Motorway footbridge. Drawing No. CPW-190081-E-EXT-XX-01 indicates a potential spill light level in the range 1.0-3.0 lux along the Booths Wood northern boundary. Section 4.0 also states that there are "no set parameters in terms of lux levels set out by the legislation's and very little research has been carried out to determine a specific value". It is also stated that "one of the general principles which has been adopted by a number of planners is that a lighting level of 1.0 lux or above is not acceptable on the Bat roost or known feeding routes". Based on the information provided, it would appear that at least part of the Booths Wood northern boundary will be subject to light spill which exceeds this acceptable level.

I have recently been contacted by a Lighting Design Engineer from consultants WSP, regarding various Highway lighting matters associated with this development. One of these matters was a proposal to illuminate the full length of the 1.20 Km footway / cycleway link, which is routed along the northern boundary of Booths Wood - are you aware of this proposal? The spill lighting levels indicated on the above drawing do not appear to include any potential contribution from the proposed footway lighting elements. It is suggested that inclusion of these lighting elements is likely to effect an increase in the spill lighting levels along the northern boundary of Booths Wood (what is still unclear at this stage is by how much). I would therefore propose that if this footway lighting is to be installed, it's contribution should be included in the above drawing. My personal preference would be for this 1.20 Km footway link to remain unlit (there are potential issues related to monitoring of the lighting for correct operation and any subsequent maintenance activities related to potential restrictions for vehicle access). Section 5.0 Illumination Levels - the lighting design targets for the various area's appear reasonable and appropriate.

The actual design levels indicated generally do not appear excessive, with the possible exception of the South East Level Access (101 lux) and the Office Entrance (104 lux). However, both of these area's appear quite small, and at this stage I do not anticipate any significant issues from these relatively high lighting levels. The report states ""it is preferable to have 0 lux reaching the woodland , however it is lit by 1.0 lux, this is due to the fact that the service yard needs to be sufficiently lit to conform to health & safety standards". As indicated above, the northern boundary of Booths Wood is actually subject to a spill light level in the range 1.0-3.0 lux (and not the 1.0 lux claimed). Also as previously indicated, this spill light level does not include any potential contribution from the proposed footway / cycleway lighting elements. Section 6.0 ILP Guidance Notes for the Reduction of Obtrusive Light - it is agreed that the site is located within an E2 Environmental Zone: Low District Brightness. This E2 Environmental Zone has an associated Pre-Curfew light spill in to windows limit of 5.0 lux and a Post-Curfew limit of 1.0 lux. I

do not anticipate any issues relating to light spill in to windows, due to the distance of the nearest properties (Old Hall Farm) from the proposed development. There may be objections from residents relating to the potential view of the development against a dark background, but this is likely to viewed against the existing development phases (thereby providing a lit

background against which it will be viewed). With respect to light in to properties, the report appears to concentrate on properties such as The Bungalow, Home Farm, Moat House Farm and Moat House, all of which are located some distance north of the M62 Motorway (but strangely makes no reference to Old Hall Farm, which appears to be closer). As these four properties are even further away from the proposed development, again I do not anticipate any issues with light spill in to windows. There are of course 3 no. existing significant developments along the norther boundary of the M62.

**3.52 Following amended information the following comments were received on 14/09/2020**

The amended plan includes an increased fence height to 3.5m adjacent to Booth's Wood. This screening appears to have reduced the light spill calculations towards the northern boundary of Booth's Wood. Most of the light spill levels do not exceed the acceptable level of 1 Lux, in accordance with design guidance provided relating to bats. There is still however the possibility of the lighting level exceeding 1 lux (2/ 3 Lux) towards the most eastern point of the woods.

The addition of lighting on the proposed footway/ cycle link would undoubtedly increase light spill levels towards Booth's Wood. At this stage the applicant has confirmed this route will not be lit. Any subsequent amendments shall be assessed in addition to these comments.

The light spill calculations north of the site towards the M62 have also reduced slightly. This appears to be due to amendments to the site layout.

Two additional luminaires are proposed; a soffit mounted lantern and a low-level illuminated bollard. Both do not appear to have a significant impact on the existing proposed illumination levels.

**3.53 Design and Conservation**

**3.54 Initial comments were received on 31/03/2020;**

A large number of designated and non-designated heritage assets lie on the land surrounding the site and are identified in the supporting documents (Chapter 8 of the Environmental Statement – Cultural Heritage).

The summary of the above document identifies a total of 57 heritage assets within the study area, 15 of which are designated (10 Listed Buildings and 5 Scheduled Monuments).

Legislation

The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. LPA's should, in coming to decisions, consider the principle Act which states the following;

Listed Buildings – Section 66(1)

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have

special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Planning Guidance and Policy

NPPF

In determining planning applications LPA's should take account of;

- a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. The desirability of new development making a positive contribution to local character and distinctiveness.

P.193 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.

P.196 identifies that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

P.200 states that LPA's should look for opportunities for new development within CA's and within the setting of heritage assets to enhance or better reveal their significance. Proposals which preserve those elements of the setting that make a positive contribution to the asset should be treated favourably.

#### Assessment

I have read through the relevant supporting documents which includes Chapter 8 Cultural Heritage (Volumes 1 and 2 plus appendices) of the Environmental Statement produced by WSP, dated January 2020. This includes a Historic Environment Desk based Assessment.

I am also mindful of the views made by Historic England in the letter dated 24 February 2020.

For avoidance of doubt my comments relate to above ground heritage matters only and I will leave issues relating to the value of the wider archaeology of the site/surroundings to other consultees.

The key heritage issues for the LPA to consider are:

1. The level of the impacts, if any, of the proposal, on the significance of any of the designated heritage assets identified, which includes their setting
2. The level of impacts, if any, on any non-designated heritage assets

#### Proposed work

The scheme involves the erection of a logistics warehouse totalling approximately 79 000 sq. metres of space together with an outline proposal for a further 107 000sq.metres of B2 and B8 uses.

#### Impact on the setting to designated heritage assets

I visited the site and surrounding area and have considered the context in which the development will sit from various locations around the site, including a number of the key/closest heritage assets identified in the documents.

Firstly, I agree with Historic England's view that the application submission should have included photographic evidence to enable a more accurate and proper assessment. It is common for large scale development proposals i.e. wind turbine proposals, to have photo

montages from various key locations, included with the submission. This enables consultees to look carefully at the visual experience of the building within the landscape and how views may be changed/impacted upon.

Notwithstanding the above I have made an assessment based upon the information provided.

In this respect I find the documentation generally to be a fair and robust desk top assessment and the methodology to be appropriate.

Historic England's advice on setting is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets describes the setting as being the surroundings in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas which have public access. Whilst setting is often expressed by reference to visual considerations it is also influenced by the historic relationships between buildings and places and how views allow the significance of the asset to be appreciated.

From my site visit I found the landscape to be flat farmland interspersed with large wooded areas which have the effect of breaking up long distant views. This is true of the south and south west where woodland limits the extent of views across the site. To the north the land is more open and appears to fall down towards the M62. These more distant views are already degraded by other large scale developments.

The closest heritage asset is Old Bold Hall moated site which sits within a wider non-designated medieval and post medieval park land setting, which includes 2 listed buildings (gate piers and bridge). I feel that whilst the development of the logistics 'shed' is likely to be noticeable from the location the level of harm to the setting because of the distance will only be minor.

There are 10 designated Listed Buildings within the area;

Table 7-3 identifies the contribution made by the settings to the significance of the heritage assets. I agree with the finding in this Table which identifies the contribution made by setting and the level of harm caused by the development.

Harm is identified to;

- Walled garden adjoining site of former Bold Hall negligible
- Farmhouse at former Bold Hall Estate adverse harm
- Former stables at Bold Hall Estate adverse harm

A summary of the impacts on heritage assets is included in Table 8.8 of Volume 1 of Chapter 8 of the ES. I agree with the summary included for the each of the assets identified and accept that some of the likely impacts will be temporary during the construction phase.

Having regard to all of the above, I consider that overall the proposed development would only likely lead to a low level of harm to the significance which I would regard as being slight within the spectrum of less than substantial harm as identified under p.196 of NPPF. You will need to give great weight to this harm in your planning balance. However under P.196 the harm can be weighed against the public benefits of the proposal. Information on what is meant by the term public benefits is included in the Planning Practice Guidance and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8).

In my view this slight harm may be mitigated by undertaking appropriate landscape works to reduce the visual impact of the buildings within the wider landscape.

### Impact on non-designated assets

The recorded non designated assets relate to a mix of above and below ground assets, identified in Table 5-3 of Volume 2 of the Historic Environment Desk based Assessment.

On the whole these assets are of a lower significance. Any harm caused to their historic settings should be regarded as negligible.

As I am required to do so, I have given the duty's imposed by s.66(1) of the P(LBCA) Act 1990 considerable weight in my comments.

I agree with the findings of the submitted ES and feel the proposal would cause some low level (slight) harm to the setting of the listed buildings on the former Bold Hall Estate.

Other harm to the setting of heritage assets are identified in the submission, these relate to the scheduled monuments at Old Moat House and Old Bold Hall. The level of harm is likely to be low. You need to clarify this matter with your Archaeological advisor

This harm should be regarded as being contrary to Chapter 16 of the NPPF, Policy CQL4 of the St Helens Core Strategy and Policy ENV24B of the Saved Policies of the St Helens 1998 Unitary Development Plan.

In respect to the harm, as indicated above it is down to the LPA to consider the wider public benefits of the proposal in its planning balance, remembering that great weight should always be given to any harm to the heritage asset(s)

#### **3.55 Further comments were received on 22/06/2020 and 3/09/2020;**

It seems to me that the applicant, through the submission documents, has rightly identified that the proposal would cause some low level (slight) harm (less than substantial harm) to the setting of several heritage assets.

The LPA will need to give this slight harm 'great weight' in its planning balance remembering also that it can consider the wider public benefits (NPPF P196) of the proposal in its planning balance.

No further comments to make.

#### **3.56 Warrington Borough Council commented on 12/08/2020;**

Warrington Development Management Committee considered the above application and the adjacent authority consultation on 5.8.20 and resolved to offer no objections to the application described above subject to the following requirements:

- Assurances that an agreement is in place with the Liverpool City Region regarding the 44.08 ha of employment land and unmet need for strategic B8 uses in the wider Liverpool City Region.
- Determination of the application in accordance with the policy on Green Belt development in the National Planning Policy Framework
- Financial contributions from the applicant towards public transport improvements and travel plan coordinator through S.106 agreement between St. Helens, OWL and WBC:
- £180,000 per year for five years as funding towards a diversion/enhancement of the B52 service to allow suitable connection to public transport.
- A figure of £10,000 per year for a minimum period of ten years is sought to allow a co-ordinated approach to Travel Planning and alignment with the existing Omega Travel Plan
- A commitment from OWL to not undertake any further development on the Omega Warrington site under planning permission 2017/30371 that would result in the vehicular

trips associated with the B1a office reducing the capacity of the local highway network to accommodate the proposed development.

- A commitment to explore opportunities to reduce the developments impact upon climate change.
- Planning Permission being granted subject to the suggested conditions at section 11 of the WBC DMC report to ensure highway impacts upon the local highway network and amenities of local residents and adjoining businesses are adequately addressed. These conditions are appended to this letter.
- The impact of the height of the proposed building (maximum 41metres) on the visual amenity of areas within Warrington is taken in to account in the decision making process.
- Consideration is given to any impact on the erosion of the green buffer between the Warrington and St Helens developed areas that would result from the development.
- The impacts on the local highway network in Warrington is considered during times when the M62 is not a viable option for traffic generated by the proposal either because of unplanned closures or significant hold-ups.
- Attention is drawn to the ancient woodland within the St Helens boundary and it is requested that the value of this is recognised and assessed appropriately. In addition I attach all representations received by WBC LPA in relation to the adjacent authority consultation. It is requested that these are taken in to account in the decision making process. Please note that we have provided un-redacted copies, and trust that you will treat these sensitively in terms of data protection requirements.

Condition were recommended including highway implementation measures and noise control.

### **3.57 Highways England**

#### **3.58 Initial comments received on 13/02/2020 and 13/03/2020;**

Recommend that planning permission not be granted for a specified period.

Our initial review has identified that the TRANSYT results as presented in the TA Appendix and tables in the report will be difficult, if not potentially impossible, to be able to interpret the TRANSYT results as presented in the TA Appendix and tables in the report we have requested a copy of the model or a detailed print of the TRANSYT network to identify arm and link references. Without this, we are unable to audit the provided information effectively. Highways England have arranged to meet with the developer to discuss our initial findings and identify any further assessment that may be required.

Holding objection.

#### **3.59 Further comments received on 28/05/2020 and 07/10/2020;**

Recommend that conditions should be attached to any planning permission that may be granted

### **3.60 Coal Authority**

The application site does not fall with the defined Development High Risk Area

### **3.61 National Grid**

Consulted. No comments were received.

### **3.62 Electricity North West**

Consulted. No comments were received.

### **3.63 Scottish Power**

**3.64 Initial comments received on 13/02/2020 and no further objections were raised afterwards;**

SP Energy Networks is working closely with the developers as there is a requirement to divert an existing 132kV wood pole line that runs across the site. SP Energy Networks is in the process of applying to the Department of Business Energy and Industrial Strategy (BEIS) for consent under section 37 of the Electricity Act 1989 to divert the line. Once section 37 consent is in place the overhead line will be diverted to facilitate the development of the site. SP Energy Networks does not consider there to be any impediments to this consent from BEIS and does not have any further comments on the Omega development.

**3.65 Mersey Forest**

No comments received.

**3.66 Mersey Travel**

**3.67 Initial comments were received on 21/04/2020;**

With reference to this planning application which relates to the extension of the major 'Omega' commercial and employment development, westwards, into the Borough of St Helens, Merseytravel would wish to offer the following comments.

Merseytravel notes the intention to include at least 576 car parking spaces within the development site, and consequently Merseytravel would wish to be assured that St Helens Council are satisfied that all traffic likely to be generated by such a car parking provision, together with all other traffic likely to emanate from the development site, could be accommodated within the local highway network, without resulting in congestion that could impede the passage of bus services within the existing Omega site or upon all adjacent highways.

Also, given the scale of the development, and the number of employment opportunities likely to be created within the site, together with the potential demand for travel that such opportunities would create, Merseytravel would wish to request that St Helens Council require the developer to formulate and implement a full Travel Plan for the site, or appropriately amend the existing Travel Plan for the wider Omega site, in order to effectively promote the use of sustainable modes of travel, including public transport, for access to and from the site, to all subsequent employees and users of the development, to a standard that satisfies St Helens council.

This plan should pay due regard to the creation of links to and from the development for residents of St Helens and of the Liverpool City Region, and should also be subject to regular audit, a process which should be funded by the developer and operator/s of the Omega site.

In order to ensure the development would have adequate links to the local public transport network, Merseytravel would wish to request that St Helens Council require the developer to fund in full the introduction of all new bus stops within the development site, that would be required to serve the development, together with the provision of an appropriate level of financial support for a bus service to the site, in the event of a commercial service not being provided. These two bus network requirements should meet any standards set out by Warrington Borough Council, as the relevant Transport Body for the wider Omega site.

To allow the development to accord with the aspirations of equalities legislation, and to ensure that all employment and other opportunities within the development would be open to all members of the community, Merseytravel would wish to request that St Helens Council require the developer to construct all internal highway layouts of the development to a format and standard that would create ease of access for Merseytravel, Merseylink dial-a-ride vehicles, and any other relevant demand responsive bus services, to all of the development's primary building entrance and exits.

### 3.68 Further comments were received on 22/07/2020

However, as indicated our meeting on the 15<sup>th</sup> June, we are still of the view the only really practical means of linking the Omega Park Extension, with the St Helens bus network, would be via a route that utilises an alignment to the west of Omega, along Clock Face Road, Liverpool Road and Lingley Green Avenue; or via Jubits Lane, Warrington Road, Liverpool Road and Lingley Green Avenue.

As also stated in our meeting of the 15<sup>th</sup> June, the most effective means of creating a direct bus link from central and southern St Helens to the Omega Park that has real utility, would be via the extension of an existing commercial bus service, which already operates to a location in south western St Helens, via one of the above alignments, from its current terminus, to Omega.

This presently suggests an extension of the current 30 Chain Lane – Sutton Manor, or 32 Clinkham Wood – Sutton Manor / Clock Face bus services as the most appropriate means of creating the required bus link.

Any extension would be subject to agreement with the operator of these services, which in both cases is currently Arriva. However, in both instances the extension is estimated as requiring an additional vehicle in the service schedule to create an hourly link to Omega.

The cost of this additional resource would be subject to negotiation and agreement, but on pre-Covid 19 pricing structures, the cost is estimated to be in the region of £150,000 per annum. The revenue that would accrue to the service could be utilised to partially offset this cost, or enhance the provision being offered, as deemed most fit by all interested parties.

In line with past practice on 'pump priming' services for major employment sites, we would recommend a funding commitment for no less than 5 years, to give a degree of certainty in access to employment, giving a likely total cost of circa £750,000.

In the event of an extension to one of the above services, or a similar service being unachievable, a single bus resource at the same cost, could be utilised to create a link between an appropriate range of south St Helens destinations, potentially including the principal bus termini, and Omega, but such a provision would suffer from an 'interchange penalty' that is likely to make it far less attractive as a means of accessing employment opportunities.

I hope that the above, offers you some further clarity on this matter, and once you indicate that you are satisfied with the above recommendations, we could commence some early discussion with Arriva on the potential mechanics and more detailed costs for the extension of an appropriate service.

### 3.69 Fire and Rescue Service

No objection

### 3.70 Lead Local Flood Authority

### 3.71 Initial comments were received on 28/02/2020

Initial consultation with Environment Agency is required prior to layout planning to determine the acceptability of realignment proposals for Whittle Brook.

Environment Agency permit will be required for any discharge to Main River. Further to this, Environment Agency could have additional requirements for water quality and erosion protection. Developer has not included detailed design of control structures for Unit 1.

Unit 1 attenuation features appear to be close to the M62, has the developer undertaken pre-application discussions with Highways England to confirm the acceptability of this?

It is assumed that there has been stakeholder liaison to confirm the 10 metre easement associated with the ethylene pipeline in Unit 1 plans. Developer has not provided details on suitability of the connection/crossing of the pipeline (i.e. within easement). Confirm any loading and easement requirements for construction, operation and maintenance of the SuDS basins.

It is noted that attenuation ponds are designed to be 1.5m deep (1m to Top Water Level). Micro Drainage results prove that the design is appropriate in principle, however, outfall interaction with normal river levels has not been considered. Further to this, confirm that basin invert depths have been checked against groundwater levels.

A plan defining access for maintenance of SuDS features including ramps and possible overflows would be beneficial to address LLFA concerns as defined in LLFA response to EIA Scoping Request. Confirm maintenance strategy for the ponds and tank?

Infiltration testing must be carried out, minimum of BRE Digest 365 in order to appropriately discount infiltration as a means of surface water disposal.

Following EA consultation on river realignment, Warrington Borough Council should be consulted regarding the proposed realignment of Whittle Brook and any implications for downstream flood risk.

United Utilities at Lingley Mere should be consulted regarding alterations to watercourses at the site - watercourses may drain or provide water to the Lingley Mere Estate.

Drainage Strategy Section 5.4.1 denotes a 225m swale in Unit 1, however, Section 5.5.4 refers to a 300m swale. Further to this, Section 5.6.1 - 6.06 l/s/ha contradicts 5.81 stated in FRA.

It is noted that the large westerly attenuation pond will have standing water for wildlife/ecology benefit, however, permanent water levels have not been confirmed.

Developer has not provided information regarding detailed design of control structures, permanent water levels, suitability of the connection/crossing of the ethylene pipe (i.e. within easement).

### **3.72 Further comments were received on 21/09/2020 and 08/10/2020**

LLFA: No objections for full application stage and conditions required for outline stage.

For the full application there are no objections to the development and no conditions are required. The land drainage consent for Barrow Brook has been submitted by Fairhurst and has been provisionally approved until the formal consent has been provided. The consent is currently being written and I am waiting on confirmation on the signatory.

I would not that the LLFA require a revision that previously submitted plans showing the surface water layout and master plan, show the revised watercourse location and the section of Barrow Brook which is not to be removed to be identified in the planning decision notice file list.

No further section of Barrow Brook will be allowed to removed for this application, to allow the possibility of re-connection to the historic watercourse route if found in future investigations by the LLFA, allow for extra storm water storage and surface water capture between the boundary points, keep the established vegetation and wildlife corridor and to allow for a natural barrier between developments

For the outline application, the detail is still limited as a design has not been undertaken. The LLFA require the outline section to be conditioned with the proposed text.

Comments have been addressed.

### 3.73 **Natural England**

#### 3.74 **Initially commented on 04/02/2020**

No Objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Natural England's further advice on advice on other natural environment issues is set out below.

**Ecological Networks** The proposed development is within an area that Natural England considers important as part of a landscape scale network of wetland habitats that act as stepping stones for wildlife. As such, Natural England would encourage the protection and enhancement of wetland habitats and associated terrestrial habitats into this development which can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. We strongly encourage you to share this advice with the applicant to maximise opportunities to incorporate green infrastructure and biodiversity enhancements during the development of the detailed proposal. The development provides opportunities to secure biodiversity net gain for nature and local communities, as outlined in paragraphs 9, 109 and 152 of the NPPF.

For the wide range of habitats on this site, Natural England advocates the use of the Defra Metric to calculate any potential biodiversity losses and compensation to be measured

**Biodiversity duty** Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

**Soils and Land Quality** Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance [Agricultural Land Classification](#) information is available on the [Magic website](#) on the [Data.Gov.uk website](#).

From the documents accompanying the consultation we consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20 ha 'best and most versatile' agricultural land (paragraph 170 and 171 of the National Planning Policy Framework).

For this reason we do not propose to make any detailed comments in relation to agricultural land quality and soils, although more general guidance is available in Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

### 3.75 Highways

#### 3.76 Initial comments were received on 14/04/2020;

Summary The following key points have been derived from the review of the Transport Assessment.

The current planning application is hybrid in nature, seeking full permission for a B8 unit at the north of the site, and outline permission for B2/B8 units to the south.

- A planning strategy will be needed with regard to the previously consented B1 floor space at Zones 1-2, and the new proposed land uses at Zones 1-2 have been accounted for as a committed development in the highway impact assessment presented within the TA.
- No direct reference is made within the TA to the relevant elements of the St Helens Core Strategy Local Plan.
- The relevant elements of the Draft St Helens Local Plan submission have been referenced. The noted focus on sustainable travel links has been reinforced by this review.
- Reference is appropriately made to the Supplementary Planning Document Ensuring a Choice of Travel (2010), with regards to parking standards.
- The Core Strategy notes that the adjacent area within St Helens is rural in nature and opportunities to improve access for a variety of purposes should be considered.
- Policy CP2 in the Core Strategy identifies the requirement to undertake 10-year future year assessments for any development which provides indirect access onto the strategic road network.
- No sustainable mode trip generation / distribution information has been provided in the TA. This information is required in order to understand the sustainable mode provisions and needs. • It is noted that PRoW 102 currently has status as a footpath only and therefore, it cannot legally be used by cyclists. Due to this, the Cycling Isochrone assessment is not valid.
- Footpath 102 is considered a key route for walking and cycling uptake by employees of the development. Footpaths 309 and 349 are also located to the north of the proposed site and may provide an equally attractive sustainable route for accessing the proposed development, for certain trip origins.
- A Construction Environmental Management Plan will be required to consider disruption of the PRoW during construction of the new link.
- The TA sets out a new bus stop will be provided within the site to allow the extension of the existing B52 Omega service to be within the preferred walking distance of 400m. However, confirmation that the B52 is still operational and an agreement in place that it will serve Zone 8 is required.
- The B52 service does not align with the 329 service between St Helens and Warrington and therefore is unlikely to be attractive for residents in St Helens to access the site.
- The 13 service does align with the 329 services however the existing stops on Orion Boulevard exceed the recommended 400m walk distance. Consideration will need to be given to improved Public Transport links (bus) between St Helens and Warrington.
- It would be expected that the proposed bus stop be of a similar layout/format to those already included at Omega, and clarity is requested on this point.

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- The FTP sets out a number of appropriate measures, however the following points are raised for the additional consideration of WSP / the applicant. 30 → Staff Induction Pack should include contact details for the TPC. The pack should be agreed with the Council prior to issue. → Site specific targeted events and promotions should be considered, for example “Walk to Work Day/Week” or “Cycle to Work Day/Week”. → More information is required as to the number of cycle spaces, showers and changing rooms, and lockers per employee. → For pedestrian safety, the Travel Plan should also consider the lighting of routes to and from the development, as well as safe crossing facilities. → Greater consideration into bus service integration and accessibility to/from St Helens is required. Agreement with bus operators may be appropriate to confirm bus rerouting / extension of services. → Other incentives to encourage car sharing should be considered including priority parking for car sharing participants, introducing a guaranteed ride home in an emergency policy, and the creation of a site-wide car sharing database. Clarification is also sought as to whether car sharing has been reflected in the level of parking provision that is proposed.
- Additionally, the FTP must consider green vehicle initiatives including the installation of electric charging points and the use of alternative green fuels for heavy vehicles.
- The FTP does not include initial targets. Targets provided should include an outline of the desired modal outcome to occur and it is recommended that consideration be given to a 10% reduction in single occupancy vehicle usage within a five-year period.
- Parking provision is not outlined in the TA, but in the Planning Statement. Justification for the proposed parking numbers is requested and either a parking accumulation analysis or clarity otherwise to demonstrate that the provision is sufficient particularly at shift change-over times.
- In order to assist the above, it is recommended that analysis associated with the below points should be provided by the applicant i. Internal layout and site access vehicle tracking is required to demonstrate safe movement to/from and within the site. ii. At the site access junction, visibility splays and an operational assessment are also required to demonstrate safe movement and sufficient capacity.
- Notwithstanding the previously raised point regarding assessment of the specific zone 8 access junction, Mott MacDonald are satisfied with the locations and time periods for assessment.
- Mott MacDonald would suggest that a 2019 base assessment is undertaken/provided to demonstrate that the capacity modelling is reflective of reality, and that models have been calibrated to queues where possible.
- Prior agreement of the committed developments with WBC and Highways England, means that Mott MacDonald are content that these represent appropriate development for inclusion in the TA.
- Clarification as to why the same TEMPro growth factors have been used for the AM and PM peak periods is required. Factors should also be provided for the future year (+10) assessments.
- The raw survey data behind the calculation of the blended trip rates presented in the TA should be provided. Notwithstanding, Mott MacDonald has undertaken a review of the trip rates and has noted a potential calculation error in the weighting used to blend the B8 rates (the B2 weighting has been used instead).
- Mott MacDonald agree with the Trip Distribution approach in principle, however request that the raw data behind the trip distribution is also provided for review.

- Mott MacDonald will determine whether a view needs to be taken on the specific junction analysis when comment is received from Highways England and Warrington Council. 31
- Accident analysis and considerations are not presented within the TA for the most recently available five-year period. The need for and area coverage should be agreed with Warrington Borough Council and Highways England, in the first instance, unless not required. Conclusions Whereas a number of the key points identified in the summary above are considered minor in nature, it is recommended that clarity and additional detail is provided by the applicant and their consultants, particularly regarding sustainable modes provision prior to a recommendation being able to be made to St Helens Planning Department.

### 3.77 Final comments were received on 21/07/2020

#### Wider Omega Context / Planning Strategy

Mott MacDonald are aware that planning consent was granted for B1 employment land use at zones 1-2 (Warrington Borough application reference: 2017/30371) but should the B2/B8 planning application at Zone 8 be accepted and permission granted, then the B1 element at Zones 1-2 is to be revoked and replaced by residential development.

In order to represent the above approach in terms of the TA and associated transport work, 5 scenarios were developed.

- SCENARIO 1: 2019 Existing network flows;
- SCENARIO 2: Base (existing + currently committed Omega developments);
- SCENARIO 3: Base + Zone 1&2 B2/B8 development (existing + currently committed Omega developments – Omega B1 development);
- SCENARIO 4: Base + Zone 1&2 B2/B8 development + 300-unit residential development; and
- SCENARIO 5: Base + Zone 1&2 B2/B8 development + 300-unit residential development + Omega Zone 8 B2/B8 development.
- The above scenarios are used separately across the varying planning applications which are live, namely;
- A reserved matters application for B2/B8 development on Omega Zones 1&2, located to the south of Skyline Drive and west of Burtonwood Road accessed from Fairchild Road;
- A hybrid application for c. 185,800sqm (2,000,000sqft) B2/B8 industrial uses on Omega Zone 8, located to the west of Omega Zone 7 and accessed from the Omega Boulevard / Catalina Way roundabout, together with a Section 73 application to delete the B1 floorspace on Omega Zones 1&2; and
- An outline planning application for c. 600 residential units, located south of the Zones 1&2 reserved matters application site. This is a net increase of 300 residential units over the currently consented residential development on Omega South, reflecting the necessary changes in the various redline boundaries as a consequence of the changes in use on Omega Zones 1-6. The application for 600 residential units will coincide with a relinquishment of consent for 300 residential units on Zones 3-6.

The scenarios relate together as per the below;

- Scenario 3 supports the reserved matters application for Zone 1 and 2
- Scenario 5 would support the hybrid application on Zone 8 (with the assumption that reserved matters Z1&2 comes forward due to the legal linking of the applications).
- Scenario 4 would support the outline application for residential development (again with the assumption that Z1&2 reserved matters is implemented)
- Based on the above Scenario 5 would demonstrate the cumulative impact of all the proposed

- development for comparison with the base scenario (2).

The Zone 8 TA is therefore based around comparison of Scenario 2 (as the forecast baseline) and Scenario 5, as that representative of the Zone 8 application (P/2020/0061/HYBR).

On this basis, it is understood that the applicant intends to enter into a Unilateral Undertaking with Warrington Borough Council to ensure that no development falling within Use Class B1 of the Order can be Commenced on the Zones 1-2 Land pursuant to the Zones 1-2 Permissions. The form of the Unilateral Undertaking will need to be agreed with St Helens Council in advance of submission to WBC. The timing of submission to WBC will be ahead of the determination of the Omega Zone 8 application so that St Helens has certainty that the B1 floorspace will be surrendered when required. No assessment has taken place within the TA for retention of the B1 element at Zones 1-2, and as such this hybrid application should not progress without confirmation of the Unilateral Undertaking with both St Helens Council and Warrington Borough Council.

The St Helens Core Strategy, October 2012, identifies that; 'Ensuring development which generates significant movement of freight, is located on sites which are served by rail or where rail facilities can be provided as part of the development, or where those options are not available, locating where there is good access to a road designated as a Freight Priority Route'.

The Omega site does not provide rail facilities on site however there is direct access to the M62. As such, the proposals are on first inspection, contrary to this Policy.

The Core Strategy presents a vision of regeneration for St Helens. This vision is to be achieved through the following Strategic Aims:

- Creating an Accessible St Helens;
- Meeting Resource and Infrastructure Needs;
- Safeguarding and Enhancing Quality of Life;
- Ensuring a Strong and Sustainable Economy;
- Providing Quality Housing; and
- Ensuring Quality Development.

Transport policy is central to creating an accessible St Helens. Although the Core Strategy does not specifically identify the Omega Site, Policy CP 2, "Creating an Accessible St Helens", is of note as it details the principle of locating development sites where there is access to active travel networks and/or provision of these networks within the site.

Policy CE1 - Although the site was not previously identified in the adopted Core Strategy 2012, it is recognised in the current draft Local Plan allocations that the Omega South Western Extension can have a notable contribution to the employment needs of the borough.

The Core Strategy also focuses on the accessibility requirements for St Helens; - It is recognised that the current masterplan includes a new walking and cycling connection to the existing Public Right of Way (PRoW) to provide access to the north west of the site and also connects into the Lingley Mere Business Park to the south. The relevant policy also clearly identifies the need to consider public transport accessibility in any transport submission as it has the potential to replace longer distance car trips.

Policy CP2 - Although the Core Strategy does not reference the Omega site, other than in the context of adjacent industrial development, the location of the development in relation to rural St Helens and the Bold Forest Park is seen as an important consideration for this application.

Policy CAS 5 - Key points noted from the policy are to provide opportunities for access to outdoor sport and recreation and to improve access to employment areas in rural locations. It is considered that the location of Omega, adjacent to the rural St Helens area, as well as being located within Green Belt provides a requirement and opportunity consider these sustainable access considerations in the context of the policy and the development.

#### St Helens Borough Local Plan 2020-2035 Submission Draft

It is noted that the site is covered by the allocation area 1EA, a proportion of the site lies within the Green Belt, including the potential land mitigation buffer to the north east of Booths Wood and industrial units and parking proposed to the areas north and south-east of the wood.

Whilst the implications on green belt land have not been addressed explicitly within the TA, the Planning Statement that accompanies the application does, however, state:

“It is accepted that the proposed development at Omega Zone 8, by virtue of its proposed use (B2/B8), size and scale, can only be considered as ‘inappropriate’ development within the Green Belt. It is considered that ‘very special circumstances’ exist that serve to justify the proposed development in the Green Belt, as required by the Framework, adopted Development Plan and emerging Local Plan policies. These circumstances are sufficient to outweigh the harm to the Green Belt associated with the proposals (i.e. in relation to both ‘inappropriateness’ and ‘other harm’).

The proposed form of the development meets the requirements of the Development Plan and the associated investment and job creation will have significant benefits for both St Helens and Warrington Boroughs. The proposals also comply with guidance contained relevant policies in the Development Plan and emerging Local Plan with regards to design and layout, highways, amenity and other environmental assets.”

It is Mott MacDonald’s understanding that the “Omega western extension” was reviewed as part of the 2018 Green Belt Review. It was stated that development of this sub-parcel would form a natural extension of Omega to help meet Warrington’s needs for employment, and therefore the parcel was recommended for allocation, with the exception of the small area of protected woodland within the sub-parcel that would need to be retained.

The Omega site is referenced within Policy LPA04.1: Strategic Employment Sites. The site is considered to represent a strategic employment site and as such would be required to set out the phasing of the development across the whole site.

It is also stated that the development should provide measures to provide good levels of accessibility to the whole site by public transport, pedestrian and cycling links, and include an indicative layout promoting permeability and accessibility by public transport, cycling and walking.

St Helens Borough Local Plan sets out the vision for the borough over the next period 2020-2035. The development site covers the draft allocation site 1EA: the Omega South Western Extension, Land north of Finches Plantation, Bold, (employment allocation removed from Green Belt),

The draft site allocation 1EA is considered a “strategic employment site” under policy LPA04.1 and therefore must adhere to the criteria set out under this policy. It is understood that the allocation counts toward the employment numbers for Warrington, and not toward the net count for St Helens. In addition to site 1EA, the proximity of the proposed zone 8 site to the proposed housing allocation ‘Land South of Gartons Lane and former St. Theresa’s Social Club, Gartons Lane, Bold’, (site ref: 5HA) is noted. In addition, the ‘Land bounded by Reginald Road/Bold Road/Travers Entry/Gorse Lane/Crawford Street, Bold (Bold Forest Garden Suburb)’ (site ref: 4HA) is also noted.

It is noted however that the Local Plan is not currently adopted at the time of writing and whilst the majority of the site is covered by the allocation area 1EA, a proportion extends into the Green Belt, including the potential land mitigation buffer to the north east of Booths Wood and industrial units and parking proposed to the areas north and south-east of the wood.

#### Key Points

The relevant policy elements identified by Mott MacDonald, whether related to the adopted Core Strategy or the draft Local Plan submission, identify that maximising, promoting and enhancing the use of sustainable modes and associated infrastructure will need to be a key aspect of the transport proposals put forward as part of the application.

The National Planning Policy Framework [NPPF] (February 2019) is the current Government policy for planning and development in England. NPPF confirms the important role that transport plays in facilitating sustainable development. In paragraph 109 of the National Planning Policy Framework, it states that;

‘Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.

This Technical Note has been undertaken within the context of the above.

The following provides relevant detail to the overarching context that the application and Transport Assessment has been derived in.

‘Sustainable development is promoted within the policy (NPPF), with sustainable development assessed in terms of economic, social and environmental sustainability. The policy goes onto identify that each of these roles are mutually dependant and therefore cannot be considered in isolation. Encouraging sustainable economic growth is the overarching theme of the policy, which will be achieved through seeking positive improvements in the built, natural and historic environment, and making it easier for jobs to be created in cities, towns and villages.’

The reference to job creation in the context of the built, natural and historic environment is a key aspect of the application and mitigation measures have been derived which pay due cognisance to this aspect.

#### Sustainable Mode Trip Generation

The multi-modal trip generation of the site has been defined from mode share data of the existing Omega site.

**Table 2: Zone 8 Multi-Modal Trip Generation**

Mode	Mode Share	AM Arrivals	AM Departures	AM Total	PM Arrivals	PM Departures	PM Total
Walk	1%	3	1	4	2	4	6
Cycle	7%	24	6	30	14	27	41
Bus	8%	28	6	34	16	30	47
Rail	1%	3	1	4	2	4	6
Car Share	47%	164	37	201	94	179	273

Mode	Mode Share	AM Arrivals	AM Departures	AM Total	PM Arrivals	PM Departures	PM Total
Car Alone	34%	119	27	146	68	129	198
Other	2%	7	2	9	4	8	12
<b>Total</b>	<b>100%</b>	<b>349</b>	<b>79</b>	<b>428</b>	<b>200</b>	<b>381</b>	<b>581</b>

The figures presented in Table 2 show that the existing Omega site is still reliant on private car use, with 81% of trips made using car. The 47% undertaken by car share demonstrates that site specific Travel Planning is working, however the 7% made by cycle, 8% made by bus and 1% made by rail shows that sustainable mode trips are still in the minority.

Measures will need to be put in place to increase the sustainable mode share of trips from St Helens.

Walking and Cycling Accessibility - An existing Public Right of Way (PRoW) passes through the western extent of the site (footpath 102). Footpath 102 connects the Bold area of St Helens to Bold Heath. The footpath links Gorsey Lane in St Helens to Warrington Road in Warrington. Footpaths 309 and 349 are also located to the north of the proposed site, connecting Gorsey Lane and Burtonwood Road, via Joy Lane. This route ultimately provides a connection to M62 J8. The walking isochrone, shown at Figure 7, indicates that accessibility to the site on foot from St Helens is limited due to its relatively rural location on the outskirts of Warrington. Whilst PRoW 102 provides access to St Helens in the northwest and southwest, very few residences are currently located within the isochrones. The development site location on the outskirts of the Omega site means that very few residences in St Helens are within an acceptable walking distance of the proposed site.

In terms of residences in Warrington, they are at least 15-20 minutes on foot for Lingley Green, Kingswood and the edges of Westbrook is within a 20 to 30-minute walk from the site. In terms of walking accessibility to key public transport links, both Sankey for Penketh and the new Warrington West rail stations are not likely accessible on foot from the site given they lie outside of a 30- minute walk.

The existing bus stops located on Omega Boulevard and within the Lingley Mere Business Park also lie outside the preferable maximum 400m (5 minute) walk distance recommended in Inclusive Mobility (DfT, 2005), although it is noted that the TA considers a potential bus stop located on the access to the site to satisfy the recommended 5-minute walk distance. This is discussed further in the Public Transport chapter of this Technical Note.

Whilst the cycling isochrone (shown in Figure 8) demonstrates reasonable coverage of nearby residential areas, the analysis seemingly includes the existing footbridge (shown in Photograph 3-6 in the TA) connection over the M62, which is currently unsuitable for cyclists. It is noted that PRoW 102 is not suitable for cyclists as the existing footbridge over the M62 is stepped and not ramped. In addition, PRoW 102 currently has status as a footpath only and therefore, it cannot legally be used by cyclists. This suggests that the analysis presented in the cycling isochrone, reproduced at Figure 8, is not an accurate representation, as the cycle times from areas such as Bold Heath and Clock Face would in all likelihood be higher.

Part of the development proposals were to create a realigned PRoW 102 into the Zone 8 development site. As has been demonstrated above this proposed connection is likely not to be sufficient to meet the St Helens policy requirements in relation to provision for and encouragement of sustainable mode journeys. It is therefore recommended that the PRoW 102 be left on its current alignment and the connection into it would remain as an active travel route under the maintenance of the site developer.

Finally, Mott MacDonald recognise that the developer is proposing covered cycle parking, shower, changing and locker facilities, and this provision is welcomed.

#### Public Transport Accessibility

The nearest existing bus stops are located on both Omega Boulevard and within the Lingley Mere Business Park but that these lie outside the preferable maximum 400m (5 minute) walk distance recommended in Inclusive Mobility (DfT, 2005) and therefore are unlikely to be attractive for employees to make bus or linked bus/rail trips, particularly outside of regular commuting hours due to the early/late shift patterns. The B52 service is the existing Omega development funded bus that has services aligning with the shift patterns for the site and therefore the provision of an additional stop and re-routing of the service is welcomed. To ensure total journey times via bus are kept to a minimum, new bus stop(s) will be required to be located close to the proposed site within the preferable maximum 400m (5 minute) walk. The TA references that "discussions will be held with SHMBC to determine the viability of rerouting or extending a bus service from St Helens to the site".

Given that the combined potential bus travel time at present between St Helens and the site could be ~1 hour, excluding wait time and walk times, extension of existing bus service(s) from St Helens to the site should be provided. This will provide a dedicated sustainable mode of

access to the site, in lieu of the fact that the active travel provision to the site from St Helens is considered not wholly sufficient to provide adequate access arrangements.

### Omega Trip Origins

The analysis presented in Figures 10 and 11 shows a relatively even spread of existing Omega trips across St Helens. This spread would seem to further emphasise the need for provision of sustainable travel measures for St Helens beyond just that of a connection from the site into PRoW 102, given that there is limited walking distance potential and there isn't a greater level of existing Omega site employees in areas such as Bold compared to wards in the north of the borough.

In addition to analysing the postcode origins of existing Omega employees, the Public Transport accessibility of the site has been assessed using TRACC.

TRACC software is used in public transport analysis in the UK and overseas. It uses imported datasets from DfT (in the UK) to run multi-modal journey time calculations, which are then used to produce accurate and understandable mapping outputs.

The software uses multiple data sources for consolidated timetables from ATOC and Traveline and is updated on a quarterly basis. The data used in the analysis is from Quarter 1 2020. Population data is based on 2018 mid-year estimate of population joined to population weighted Large Super Output Areas (LSOA) centroids. Population was included in each isochrone band if the LSOA centroid point was located within the isochrone band. The isochrones themselves are based on a 200m origin grid.

The TRACC analysis is shown in Figure 12 for travel to the site for the AM Peak (07:00-09:00) time period. Other time periods as listed below are included in this note at Appendix A.

- Travel from the site (AM Peak – 07:00-09:00);
- Travel from the site (Early AM – 04:00-06:00);
- Travel from the site (Interpeak – 10:00-16:00);
- Travel from the site (Late PM – 20:00-22:00);
- Travel from the site (PM Peak – 16:00-18:00);
- Travel to the site (AM Peak – 07:00-09:00 – shown in Figure 13);
- Travel to the site (Early AM – 04:00-06:00);
- Travel to the site (Interpeak – 10:00-16:00);
- Travel to the site (Late PM – 20:00-22:00);
- Travel to the site (PM Peak – 16:00-18:00);

The TRACC analysis demonstrates that there is limited direct provision from St Helens into Warrington, particularly from the west of the site from St Helens Town Centre.

On this basis, opportunities for extending existing services into Warrington and to the Omega site have been explored with MerseyTravel, and an appropriate condition/developer contribution securing this will be needed.

MerseyTravel will need to be fully consulted with regards to determining the most appropriate provision of any alteration to provide cross-boundary bus services. Financial contributions should be sought to enable such provision to occur and the altered / extended service should be available from the day of opening of the development.

### Key Points

The existing Omega site is still reliant on private car use, with 81% of trips made using car. Measures will need to be put in place to increase the sustainable mode share of trips from St Helens. The development site location on the outskirts of the Omega site means that very few residences in St Helens are within an acceptable walking distance of the proposed site.

It is noted that PRow 102 is not suitable for cyclists as the existing footbridge over the M62 is stepped and not ramped. In addition, PRow 102 currently has status as a footpath only and therefore, it cannot legally be used by cyclists.

The PRow 102 realignment is not likely to be sufficient to meet sustainable travel policy requirements in isolation, as such it is recommended that the PRow 102 be left on its current alignment and the connection into it would be an active travel route under the maintenance of the site developer. Postcode distribution analysis would seem to further emphasise the need for provision of sustainable travel measures for St Helens into the site beyond just that of a connection from the site into PRow 102 TRACC Public Transport analysis demonstrates that there is limited direct provision from St Helens into

Warrington, particularly from the west of the site from St Helens Town Centre. On this basis, it is understood that extending existing services into Warrington and to the Omega site from St Helens be secured via appropriate condition securing and/or developer contribution. MerseyTravel will need to be fully consulted with regards to determining the most appropriate provision of any alteration to provide cross-boundary bus services.

Financial contributions should be sought to enable such provision to occur and the altered / extended service will be required from the day of opening of the development.

#### Framework Travel Plan

A Framework Travel Plan (FTP) has been included within chapter 5 of the TA and sets out a number of measures to be included in the Travel Plan (TP) document itself once the site is occupied. It is also noted that the developer is proposing to provide covered cycle parking, shower, changing and locker facilities.

The Framework Travel Plan is considered to represent an appropriate document to become a full Travel Plan when the site is operational, in conjunction with the overarching and existing Omega site Travel Plan and coordinator.

#### Full (Site-Specific) Travel Plan

The FTP provides an over-arching document for the development of detailed site-specific Travel Plans, which are relevant to end users and occupiers etc. The FTP therefore provides a start point for development of the detailed Travel Plans.

The FTP measures are focussed on staff travel to the site, however, given the site includes B2 / B8 (Storage and distribution), the detailed Travel Plan(s) should also acknowledge green vehicle initiatives including the installation of electric charging points and the use of alternative green fuels for heavy vehicles.

Measuring travel behaviour change through annual staff surveys will be necessary to determine the success of the Travel Plan measures. Mott MacDonald note that an initial staff survey will be required to establish a baseline and refine targets.

Mott MacDonald would recommend that initial targets are provisionally set based on baseline data from Journey to Work mode share statistics or, preferably using monitoring data from operational sites at Omega. Given a number of these sites have been operational for some time, it is likely that monitoring and reporting exists that would also show the progress made at these sites since opening and therefore would provide a realistic benchmark for target setting for Zone 8. Targets provided should include an outline of the desired modal outcome to occur. Consideration should be given to a 10% reduction in single occupancy vehicle usage within a five-year period.

## Key Points

The FTP represents an appropriate document to become a full Travel Plan when the site is operational, in conjunction with the overarching and existing Omega site Travel Plan and co-ordinator. The FTP measures are focussed on staff travel to the site, however, given the site includes B2 / B8 (Storage and distribution), the detailed Travel Plan(s) should also acknowledge green vehicle initiatives including the installation of electric charging points and the use of alternative green fuels for heavy vehicles.

Measuring travel behaviour change through annual staff surveys will be necessary to determine the success of the Travel Plan measures. An initial staff survey will be required to establish a baseline and refine targets.

Initial targets should be set based on baseline data from Journey to Work mode share statistics or, preferably using monitoring data from operational sites at Omega.

## Parking Provision

Section 4.6 of the TA sets out that the parking provision for the site will be based on the maximum parking standards in the St Helens SPD.

The parking proposals for the detailed element of the application (Unit 1) is understood to have been developed specifically to respond to the requirements of the identified occupier. Peak demands at shift changeover times are a key aspect of this determination. The proposed parking levels for the detailed element of the application have been derived to reflect the growing trend for increased use of robotics within B8 development, which in conjunction with the requirements on occupiers to implement travel plans to promote sustainable travel, reduces the demand for car parking.

Whilst the Council's Parking Standards are considered to be a maximum requirement and over provision should be avoided to ensure sustainable modes are a viable alternative to single-occupancy vehicle trips, shift change over times are likely to result in periods of peak parking and therefore the parking provision must reflect this to prevent queuing or parking on the local highway network in the vicinity of the site.

For the outline element of the application, it is recommended that plans for the following aspects need to be confirmed prior to the development being brought into use.

- Servicing,
- Cycle parking, and
- Vehicular parking requirements.

A series of key points identified from the Parking review are noted below.

## Key Points

The parking proposals for the detailed element of the application (Unit 1) is understood to have been developed specifically to respond to the requirements of the identified occupier. The proposed parking levels reflect the growing trend for increased use of robotics, in conjunction with travel plans, this reduces the demand for car parking.

The Council's Parking Standards are considered to be a maximum requirement and over provision should be avoided to ensure sustainable modes are a viable alternative to single-occupancy vehicle trips.

Shift change over times are likely to result in periods of peak parking and therefore the parking provision must reflect this to prevent queuing or parking on the local highway network in the vicinity of the site. This has been acknowledged in the TA:

For the outline application, plans for servicing and parking will be needed.

#### Zone 8 Site Access Roundabout and Internal Circulation

The site is to be accessed via a new roundabout at the opposite end of Catalina Approach, which forms part of the detailed application and lies within St Helens boundary. This junction and associated infrastructure would potentially need to be adopted by St Helens Council. Given the remote nature of the infrastructure, in relation to the rest of the St Helens highway discussions will take place with Warrington Borough Council regarding transfer of rights in relation to maintenance of this section of highway, possible through a Section 8 agreement between the two highway authorities. The junction is proposed with 7.3m approach roads, with a 7.2m circulatory width and an overall Inscribed Circle Diameter of 40m. 3.5m shared footway / cycleway is proposed as per existing provision within the Omega development site. This is considered appropriate.

Tactile crossings are proposed at all crossing points.

2.4m by 70m visibility splay has been provided for the car park access/egress junction located to the south of the Catalina Way / Service Yard roundabout shown in Figure 14. This is in accordance with CD 123 paragraph 3.4 (formerly TD 16/07 paragraph 7.3). This is considered appropriate. Roundabout visibility splays have been derived in accordance with CD 116 paragraph 3.43 (formerly TD 16/07 paragraph 8.4). This is considered appropriate.

Pedestrian crossing visibility splays have been provided in accordance with CD 116 paragraph 3.53 (formerly TD 16/07 paragraph 8.12). This is considered appropriate.

#### Zone 8 Roundabout – Swept Path Analysis

A 16.5m articulated HGV has been assessed on the proposed layout using Swept Path Analysis. The analysis demonstrates that all movements are possible with no overruns of the footway or central islands etc.

#### Highway Impact Assessment

##### Geographic and Temporal Scope

The TA sets out that assessments were undertaken at the following links and junctions:

- Burtonwood Road / Lockheed Road roundabout;
- M62 Junction 8 signalised gyratory;
- Burtonwood Road / Charon Way signalised junction;
- Burtonwood Road / Kingswood Road signalised junction;
- Burtonwood Road / Westbrook Way roundabout;
- Skyline Drive / Fairchild Road priority junction;
- Omega Boulevard / Catalina Way roundabout; and
- M62 Junction 8 merge and diverge slip roads.

The Omega Boulevard / Catalina Way roundabout junction is of particular interest to St Helens, although located in Warrington, as the operation of this junction could directly impact on the operation of Zone 8 as a site.

#### Assessment Scenarios

WSP have carried out assessments for the opening year (2021) with and without development and a future year (registration +10) assessment for the assessment of the M62 J8. Mott MacDonald agree with this approach.

The following scenarios are used within the TA, which are appropriate for representing the proposed planning strategy. It is noted that as part of scenario 5 the B1 development at Zones 1-2 is removed.

- SCENARIO 2 (Reference Case): Base (existing + currently committed Omega developments);

- SCENARIO 5 (Zone 8 Scenario): Base + Phases 4-7 (Zone 1&2 B2/B8 development + 300-unit residential development – Omega B1 Development) + Omega Zone 8 B2/B8 development.

#### Committed Developments

Section 8.4 of the TA sets out the committed developments and states that the approach has been agreed with Warrington Borough Council and Highways England, as follows:

- 2016/27313 – Lingley Mere Business Park residential (160 units remaining); and
- 2007/11923 – Burton Wood Services business (117,509sqft GFA), general industry (109,006sqft GFA), self-storage (25,005sqft GFA) and storage distribution (109,006sqft GFA).
- The vehicle trip generation for the two committed developments was extracted from the following documents which were provided by WBC:
- 2016/27313 – Lingley Mere Business Park Residential – Trip Generation from Technical Note
- 4090/303 Cole Easdon Consultants; and
- 2007/11923 – Burton Wood Services – Trip Generation from 2007 TA Scott Wilson Ltd.

Prior agreement of the committed developments with WBC and Highways England, means that Mott MacDonald are content that these represent appropriate development for inclusion in the TA. In addition to the committed developments, the following consented development at Omega South is also taken into account in the TA.

- Zone 7 Mountpark B2 / B8 land uses (424,079sqft GFA remaining);
- Zones 3–6 residential (1,050 units remaining), discount food store (21,528sqft GFA), hotel and pub restaurant (30,677sqft GFA) and care home (80 beds);
- Omega Phases 4-7 residential development (300-unit net increase over Zone 3-6 allocation); and
- Zone 1 & 2 B1 development (640,000sqft GFA).

The inclusion of the Omega South development is appropriate for the planning strategy proposed as part of this application.

#### Traffic Growth

The TA states that TEMPro growth factors for 9 areas in Warrington and 1 area in St Helens have been averaged to provide a global factor to increase the AM and PM 2019 base traffic counts to the 2021 opening year, and similarly between 2019 to 2029. The TA uses the same factor for both the AM and PM peak periods. The AM peak period TEMPRO factor has been used as a blanket factor in order to provide a robust assessment, on the basis that it is higher than the equivalent PM factors.

This is shown in Figures 16 and 17, for the 2019-2029 growth factors, and is considered a robust approach on that basis.

#### Vehicle Trip Generation

The TA sets out that the trip generation for the site has been derived from surveys of operational Omega sites to create a blended trip rate (as agreed during scoping discussions). As such, classified vehicle arrival and departure surveys were undertaken at the following sites: B2:

- Dominos industrial unit located to the south of Skyline Drive, accessed from Fairchild Road; and
- Plastic Omnium unit located to the south east of Omega Boulevard / Catalina Way roundabout.

- B8:
- Asda industrial unit located on Skyline Drive; and
- a combined survey of Lockheed Road (serving numerous industrial units on Omega North).

The Trip Rates and the associated Trip Generation volumes are considered appropriate for use in assessment of the development highway impacts and operation.

#### Trip Distribution and Assignment

The TA states that the trip distribution for Zone 8 has been derived separately for cars and HGVs. For cars, partial postcode data from employee travel plan surveys of the other operational Omega sites has been utilised to derive the likely distribution for employees. Mott MacDonald agree with this approach. Trips have then been assigned to the local network based on online route planning based on the quickest routes. For HGVs, all traffic is assumed to route via Catalina Way to Skyline Drive and then has been distributed as per existing HGV turning proportions at Junction 8 to/from Skyline Drive. This approach is considered acceptable and a valid representation of the proposed site.

#### Operational Assessments

Mott MacDonald note that the operation of the junctions in Warrington and on the Strategic Road Network will have a direct bearing on the viability of the proposed site.

As most of the junctions are not within St Helens, review of the operational assessments has not been considered by Mott MacDonald with the views of Highways England Warrington sought in relation to their relevant junctions.

#### Site Access Roundabout

The site access junction has been modelled using Junctions9 and the results are provided in Table 8.

The modelling results illustrate that the junction operates within capacity during the AM and PM peak hours, at the 2021 opening year. As such, the design of the junction is considered appropriate, and it should also be noted that the junction is forecast to operate well within capacity in relation to any expansion of development and increase in traffic.

#### M62 J8

For M62 J8 a mitigation scheme has been proposed to accommodate alterations in traffic demands associated with the wider planning strategy outlined in chapter 1 of this technical note. Highways England have confirmed they are content with the proposed scheme and the replication of the scheme in the associated Transyt modelling.

#### Other Junctions

At the time of writing no response has been received from Warrington Council with regards to the following junctions:

- Burtonwood Road / Lockheed Road roundabout;
- Burtonwood Road / Charon Way signalised junction;
- Burtonwood Road / Kingswood Road signalised junction;
- Burtonwood Road / Westbrook Way roundabout;
- Skyline Drive / Fairchild Road priority junction; and
- Omega Boulevard / Catalina Way roundabout.

The above junctions are all within Warrington, and subject to the highway authority control. A series of key points have been identified from review of the operational assessments

## Infrastructure CEMP

A CEMP has been prepared by Omega Warrington Ltd associated with the construction of the access junction (site access roundabout), which once completed will enable access to the adjacent Unit 1 site from Catalina Approach. The planned haul route for construction traffic is from Junction 9 of the M62, via Skyline Drive which is the most direct route to Junction 8 of the M62. Access to the site will be via existing gates from Catalina Approach. To enable access to the adjacent Unit 1 site during construction of the site access roundabout a temporary 8m wide tarmac haul road will be constructed immediately east of the proposed site access roundabout linking into the Unit 1 site north of the carriageway.

Directional signage will be implemented to ensure that construction traffic utilises designated routes to minimise the effect on the surrounding road network.

The site will be secured with heras fencing as shown in Drawing 16903-10CEMO\_A, attached at Appendix C of the CEMP. The site will have a security presence on site during non-operational times. All persons including staff/contractors, visitors and deliveries will enter the site via the gated access and will sign in at the site office located on the site compound. The gates will be kept shut and locked when not in use.

A compound layout plan shows the intended arrangement of the construction compound. This shows indicative locations of the site office, welfare facilities, segregated pedestrian walkway, contractor parking material laydown area and plant parking. Appropriate signage will be used to direct users along the haul road to the site compound and to the appropriate location. All materials are to be stored in the site compound in the locations shown indicatively in the CEMP. Deliveries will be planned to arrive just in time, reducing double handling and avoiding the need to store large quantities of materials on-site. All loading and unloading will occur on-site and not on the adopted highway. All vehicles will enter and leave the construction site in forward gear. The CEMP does not include details of proposed temporary hard standing areas. Extents of proposed temporary surfacing should be shown on a plan. The CEMP indicates that a wheel wash may also be required at the site access point. Wheel wash facilities MUST be provided in proximity of the site egress location.

Local roads will be maintained using a street sweeper on a regular basis throughout the works to ensure the highway cleanliness is maintained. The CEMP does not specifically detail the working hours/hours of operation. However, the CEMP indicates that no noisy work will occur before 08:00 or after 18:00 on weekdays or before 08:30 and after 14:00 on Saturdays. The gates will be locked between 08:00 and 17:45, this is therefore assumed to be the planned hours of operation. Hours of operation need to be defined on weekdays and Saturday. No work to be undertaken on a Sunday or Bank Holiday. HGV movements will be restricted to avoid peak hours where possible.

## Omega Zone 8 CEMP

A CEMP has been prepared by Quod associated with the construction of the 'detailed component' of the hybrid planning application (Ref. No. P/2020/0061/HYBR). Access to the site will be the same as the infrastructure CEMP, via Skyline Drive. Prior to the site access roundabout being constructed, a temporary 8m width haul road will be constructed that bypasses the site access roundabout construction area from Catalina Boulevard. A secondary access route via Lingley Green Avenue will enable access to and from the site in the event of a road blockage/incident.

Directional signage will be in place to ensure construction traffic follows the designated routes to minimise adverse impacts on the surrounding network.

Heras fencing will be erected around the perimeter of the site area with a secure gated access. In Appendix F (Drawing 16903-02CEMP\_A) shows the extents of the Unit 1 site boundary and secure fence line.

All traffic associated with the project (including contractors, visitors and deliveries) will access the site via the dedicated haul road prior to the site access roundabout being completed. Upon completion of the site access roundabout the site will be accessed using the roundabout. A construction compound location plan has been provided. This shows dedicated areas indicatively for the site compounds. No details are provided as to how the compounds will be arranged. A preliminary construction site layout plan needs to be provided for the Unit 1 CEMP and should show the following:

- Temporary surfacing
- Site office(s)
- Site welfare facilities
- Contractor parking (with capacity)
- Material delivery and collection areas
- Material storage areas and containers
- HGV turning area(s)
- Safe pedestrian route(s)

On-site wheel washing facilities will be in place at the site access/egress. A street sweeper will be used on local roads to remove material tracked out of the site as necessary.

Standard working hours will be 07:00 to 19:00 on weekdays and 07:00 to 14:00 on Saturdays. No working will be permitted on Sundays or Bank Holidays. These hours will be strictly adhered to with the exception of limited circumstances whereby the works do not affect the local environment or where failure to do work would result in harm either in terms of safety/emergency or to the environment.

The CEMP states that HGV movements will be restricted as far as reasonably possible so as to avoid peak traffic flow periods (i.e. from 08:00-09:00am and 17:00-18:00pm). Material deliveries and vehicle access to the site will be scheduled on a just in time basis to avoid the need for vehicles to queue when entering or leaving the site.

The construction programme shows an 83 week programme from September for main construction activities, with an 86 week programme for the fit-out commencing in January 2022. Given the relatively minor scale of the infrastructure project and the impact this will have on the site, phasing is not considered to be an issue. If the LPA requires certainty that there will be no issues arising from construction activities being undertaken concurrently then a pre-commencement condition should be placed on the Unit 1 application to ensure the roundabout is constructed prior to commencement of construction on the Unit 1 site.  
Key.

A number of conditions were recommended for full and outline which include implemented of the CEMP and approved details.

### **3.78 Culcheth and Glazebury Parish Council commented on 09/03/2020.**

Objection raised because of the adverse impact of these proposals on air quality and congestion on motorways and local roads in Warrington.

This application does not exist in isolation: it has to be seen as part of the accumulation of permissions, applications and proposals for distribution centres and development in the Green Belt in St.Helens, Wigan and Warrington.

We have objected to similar developments because our motorways are frequently congested and blocked by accidents, causing traffic to use our local roads as "rat runs" with further blockages and congestion. We do not want deteriorating air quality, or an increase in local congestion, nor more homes affected by vibrations from large lorries going through our villages.

Although this site is South West of our villages the resulting traffic will use the M62 and the motorway network, affecting our residents. We also are concerned about the wider loss of Green Belt and “green lungs”.

We have already asked for some of the earlier applications to be called in by the Secretary of State and this application should be included.

### 3.79 **Bold Parish Council commented on 08/03/2020**

I am writing to object to planning application P/2020/0061/HYBR Omega 8.

I wholeheartedly support job creation in St. Helens and would like to thank the council for their efforts in taking their time to investigate all potential employment opportunities. However, I feel that this application fails to justify the ‘very special circumstances’ required to release prime greenbelt land for development and would argue that this application would have a detrimental effect on the area surrounding the proposed development.

#### Employment Land

The inflated Employment Land Need identified in St Helens, and in all authorities across the region, depends wholly on the release of Green Belt land to be viable. The SHELMA is procedurally flawed as it assumed Green Belt release, without assessing the actual harm of doing so. In this sense the SHELMA is invalid. The SHELMA notes that “the Growth Scenario is quite aspirational in nature” for Liverpool and St Helens (Para 5.3).

The NPPF section 11 states that local plans should “make as much use as possible of suitable brownfield sites and underutilised land. The Brownfield Register does not record all the suitable brownfield land in St Helens that could come forward for B8 warehousing.” This development does not make effective use of the land identified.

Independent studies done on behalf of the St Helens Greenbelt Association by Kirkwells and Peter Black of Black Friars concluded that the employment land need to be overestimated by 329% and that the figures quoted by St. Helens council are not credible.

#### Employment Figures

The application states that around 3000 jobs will be created at the site. The warehouse, once completed will be 878,012 sq. Ft. If we look at solstice park in Wiltshire, a home bargains distribution centre completed in May 2017, the total size of the development is

1,000,000 sq. Ft and employed 1200 people at the time. There is a discrepancy between these two developments even though the activities will be the same at both sites. Automation of the distribution industry will also have a detrimental effect on these jobs in the coming years with projections of 40% or more loss of jobs.

The Florida farm development (application P/2018/0254/OUP) quoted the creation of 3500 permanent jobs on its application. Now completed the whole site employs just 320 people and has brought the area around the development to a standstill during peak times due to the amount of traffic.

I contest the projected employment figures quoted in this application as we have seen time and time again that these developments do not deliver on their proposed figures.

#### Duty to cooperate

There has been an absence of a joined-up spatial planning approach by neighbouring authorities concerning the cumulative harm to Green Belt from several speculative large B8

employment applications along the whole of the M62/M60 corridor. These include, but are not limited to: Birchwood J11 M62; Haydock Point and Florida Farm Junction 23 with A580; Winwick Road J9 M62; Lymm and Appleton J20; M56/M6 (J9) - currently 145,000 sq. ft of logistics space; proposals for 600,000 sq. ft Green Belt warehouses due to be re-submitted (Stobart); sites in the Greater Manchester Spatial Framework; Airport City and Wigan at South Lancs Industrial Estate Ashton and Leigh. Development in the Green Belt on this scale is unsustainable. The road-based schemes are increasing traffic significantly to the detriment of the local transport network and national motorway network.

#### Greenbelt and the Bold Forest Area Action Plan

The Bold Forest Area Action Plan was adopted by St. Helens council in 2017 and therefore must be considered in any future planning applications. It sets out a vision for the Bold Forest park to transform it into an economically diverse, prosperous and high-quality environment. The vision states...

“The vision for the Forest Park is to provide a high-quality setting to stimulate tourism and provide a platform for local businesses to grow and develop and for the establishment of new businesses. The area will also provide opportunity for a diverse range of outdoor activities to create a critical mass of activity that the local economy will thrive upon.

The Area Action Plan has been developed through a partnership making use of neighbourhood planning principles but in the context of a formal development plan.

It is therefore breaking new ground on how areas should be planned in the future. This has been to such an extent, that it has drawn particular interest at the European level and is one exemplar project as part of the Pure Hubs Programme funded by European Union programme Interreg IVB.”

“By 2030 Bold Forest Park will be at the heart of a thriving diverse economy, providing a hub for family leisure and adventure sport. The natural environment and cultural environment will be rich and diverse. A network of open spaces and routes accessible to all connects the Forest park to the wider countryside and links to our local communities.”

The proposed development is in direct conflict with many of these objectives and the aim of the forest park and therefore must be rejected.

#### Policy BFP1: A Sustainable Forest Park

The Bold Forest Park Area Action Plan does have an economic focus, but this must be balanced with environmental sustainability. Policy BFP1 ensure that any, ‘built development is of an appropriate scale for its location.’ It is designed to be, ‘safeguarding and expanding the range of leisure and visitor facilities.’ The development of 75.3 hectares for logistic warehousing all within the boundary of the forest park, covering an area designated for a new bridleway is not an appropriate scale or safeguarding or expanding leisure and visitor facilities.

#### Policy BFP ECON1: Supporting Economic Growth

'Any proposal which would reduce the range and quality of businesses or tourism attractions and facilities will be resisted unless it can be demonstrated that there will be no adverse impacts upon the local economy, the environment or on the quality of the visitors experience.'

The development of 75.3 hectares will have an unprecedented impact on the environment, not only on physical space, but also air and noise pollution. Even more so when it is considered the Local Wildlife Site with ancient woodland at Booths Wood, which runs adjacent to the proposed development.

### Conclusions

The Omega 8 Planning Application can in no way be considered to protect and enhance the natural environment of the Forest Park. The implications of this development will have a severe impact on the visual amenity and biodiversity within the Forest park and therefore the success of the sustainable development of the Forest Park. The development will also jeopardise the recognition as a Landscape Asset and therefore any potential funding associated with the regeneration initiative.

The application proposals are based on Employment Land Need that is not objectively assessed and is not credible. There is no evidence of duty to cooperate between St. Helens and Warrington borough councils and no public consultation has taken place. The application will also promote the merging of these two towns going against national planning policy.

This application, in no uncertain terms, meets the 'Very special circumstances' required for removal of large areas of greenbelt and the destruction of ancient woodlands and diverse ecological systems, priority habitats and removal of priority species and therefore the Application should be refused.

### 3.80 **A second objection from Bold Parish Council was received on 05/03/2020.**

The Parish council wishes to express its strong objection to the above planning application on the following grounds.

The application runs counter to the Bold Forest Action Plan agreed by St Helens Council in 2017. The action plan set out to protect the rural environment stimulate the local economy, preserve heritage sites, encourage leisure pursuits and tourism. We are concerned that this development would impact both visually and auditorily. This would be to the detriment of the forest park reducing the visitor appeal. In turn this would reduce the development of the diverse range of outdoor activities which the action plan envisaged as creating a critical mass of activity that the local economy would thrive upon. The action plan was designed to enhance the environment this application would not support this aim.

· The development is entirely sited in the Green Belt. The National Planning Policy Framework attaches great importance to the protection of Green Belt land :

- a. To prevent unrestricted sprawl of built up areas , this proposal would increase the urban sprawl.
- b. To prevent neighbouring towns merging into one another, this proposal significantly reduces the separation of St Helens and Warrington.
- c. To assist in safeguarding the countryside from encroachment, the proposal clearly encroaches into a large area of open countryside.
- d. To preserve the setting and character of historic towns , the development is on part of a site which contains a number of historic buildings.

e. To assist in urban regeneration, the applicant does not appear to have given serious consideration to alternative brownfield sites.

Planning guidelines emphasise that development in Green Belt is only permissible where special circumstances apply. The application fails to demonstrate special circumstances. There is no evidence that any perceived benefit from the development would outweigh the damage to the environment.

The development would impact on the ecology of the area with disruption and loss of habitat. The proposal would destroy some 18 acres of long-established woodland. There are minimal proposals to mitigate the loss of this environment. Recent experience would indicate little incentive for developers to repair or replace environmental damage and limited ability for authorities to enforce this.

Whilst St Helens council have adopted a brownfield first policy the developer does not appear to have considered alternative brownfield sites.

Other options within the Omega South site have been given scant consideration. There are currently vacant units on this site and a number of options for further development which would reduce the urban sprawl resulting from this development.

The original aim of using this site was to increase the availability of employment land for Warrington Borough Council. WBC now claim lack of consultation with St Helens regarding this development. The application is not clear regarding this aspect. Guarantees of job opportunities for St Helens people are not legally enforceable.

The number of jobs created by this development is speculative at best. The logistics industry is a highly competitive sector. To improve profitability logistics companies are to a great extent automating their operations to reduce labour costs. It is unlikely that the development will realise the suggested number of employment opportunities. Recent local experience would support this view. There is no indication of the likely occupants of the developments in the outline application any suggestions of employment numbers cannot therefore be anything more than assumptions.

St Helens council have yet to submit the Local Plan Draft submission for consideration by the Planning Inspectorate. This application appears to presume acceptance of issues in the local plan which are subject to further agreement. The National Planning Policy Framework should not be circumvented.

Concern has been expressed by a number of individuals and organisations regarding traffic Issues. The application proposes to use the existing road network on the Omega site and leading to junction 8 M62. There are major difficulties currently with these routes and proposals for additional housing and further commercial development will seriously exacerbate these problems. There does not appear to be any consultation with Warrington Borough Council with regard to the implications of additional traffic movements to and from the proposed site and the additional housing being built in the locality. Additionally the level of air pollution in the Warrington area is accepted at being already at unacceptable levels.

The Parish Council strongly recommend that this application should be refused.

### **3.81 Rainhill Parish Council 04/03/2020**

Rainhill Parish Council is objecting to the above planning application. The decision to submit this objection was passed at a meeting of the Council held on Monday March 2nd 2020. The Local Plans of both St Helens Council and Warrington Borough Council are still in draft form and have not yet been approved and published. Available information confirms that the Warrington Plan has been delayed until sometime later this year. References to this proposed development within the St Helens Draft Plan are brief and have a difference in emphasis to the

Warrington Local Plan. The assessment and conclusions regarding the impact of increased traffic fails to take into account other relevant information. The proposed development if passed will contribute to unsatisfactory levels of inconvenience for residents and raised levels of pollution within the Rainhill area. The development will cause significant increase in traffic at the already heavily congested Rainhill Stoops Roundabout, Junction 7 of the M62. The decision to build on Green Belt land by use of the 'Very Special Circumstances' cannot be justified. NPPF paragraph 144 advises that substantial weight should be given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.' The Parish Council are not aware of any very special circumstances that would outweigh the harm caused to the Green Belt.

### 3.82 Great Sankey Parish Council

Great Sankey Parish Council is formally objecting to the above planning application. The decision to submit this objection was passed at a meeting of the Council held on Wednesday 12th February 2020. The Council's reasons for the rejecting the proposed planning permission are summarised below:

The Local Plans of both St Helens Council and Warrington Borough Council are still in draft form and have not yet been approved and published. Available information confirms that the Warrington Plan has been delayed until sometime later this year. References to this proposed development within the St Helens Draft Plan are brief and have a difference in emphasis to the Warrington Local Plan.

The assessment and conclusions regarding the impact of increased traffic fails to take into account other relevant information which will contribute to unsatisfactory levels of inconvenience for residents of the Great Sankey area.

The decision to build on Green Belt land by use of the 'Very Special Circumstances' cannot be justified, and this development will commence urban sprawl between the two Boroughs.

We outline our reasons in more detail below.

#### Comments re Local Plans

The draft Warrington Local Plan comprises a total of 308 pages and the only reference to the Omega West Extension is contained at Section 3.3.21, point 4. This merely states that St Helens Council is proposing to facilitate the westward extension of Omega in their Local Plan, which is also still currently in a draft state. Both Councils state that the development would contribute to Warrington's employment needs.

The St Helens Local Plan comprises 170 pages and also confirms at Section 4.6.2 that the site development is being sought by Warrington Borough Council.

The Executive Summary of the planning statement submitted jointly by Omega St Helens Ltd and T.J. Morris Ltd (Home Bargains) states on page 2, paragraph 5 that there is an identified need for employment land to deliver large scale logistics development in both Boroughs and that the application proposals will help to meet employment land supply needs of both Boroughs. However, para 5.3.3. states that this development will primarily help Warrington Borough Council.

The St Helens Local Plan (para 4.6.11) also recognises the need for an improvement in public transport and active travel links to the Omega site and in particular to provide links to this area from deprived areas within the borough of St Helens (para 4.6.18). We submit that the planning statement completely fails to address the issue and our rationale will be explained in more detail within the next section.

We further submit that the planning application should be rejected on the grounds that Warrington Borough Council and St Helens Council have failed to consult with local residents and approved groups including ourselves regarding the proposed development.

#### Traffic Management

Section 2.10 of the Planning Access statement submitted by Omega St Helens/T. J. Morris Ltd states that the existing highway structure is sufficient to facilitate the development of Omega.

Sections 9.24 and subsequent deals with Development Impact. It is stated at Section 9.28 that a thorough assessment has been undertaken of the proposed development and its impact on the local road network and that necessary improvements have been highlighted. As a result, it is concluded that the proposed development site is considered suitable in transport terms (para 9.30). Great Sankey Parish Council fundamentally disagrees with this statement for the following reasons:

The road network prior to the development of Omega, i.e. Lingley Green Avenue, was built at a time when the proposals for Omega were entirely different to the present-day provision of a logistics park. The original plan was for a development of housing, offices, science park, leisure facilities and hotel. It is our understanding that this was not pursued for reasons of finance, resulting in a hiatus before the proposals for logistics development were commenced. This is relevant as a logistics park will by its very nature, encounter a significant increase in vehicle movements, especially when these operate on a 24/7, 365 shift patterns. The requirement for a large number of employees to travel to and from the location by car will significantly add to peak time traffic build up on Lingley Green Avenue and the surrounding areas.

It is also stated that HGV's will exclusively enter the proposed site from J8 of the M62. There is no mechanism to enforce this and our experiences in dealing with residents' concerns provide evidence that HGV's are already making inappropriate use of local roads for access and parking within Great Sankey. As a result, Warrington Borough Council have set up a site whereby residents can forward photos of offending vehicles. The proposals for the current planning application include 383 HGV/trailer parking spaces which will only exacerbate the current issues being experienced by residents. These have not been addressed within the planning statement.

The planning application also includes provision for over 500 car parking spaces which will only add to the existing traffic problems in the area.

Outline permission is also sought for a further three warehouse units on the same site with details to be approved at a later date. The highway provision for these is not considered within the scope of the current application, nor is any overarching acknowledgement made of the further development of warehousing and housing on the existing Omega South site and the impact on the wider community.

Considering the major increase in vehicle movements associated with the Omega site, we feel that any assertion that the existing road network can meet the traffic demand, even with improvements, is incorrect. Current improvements relate to the widening of the carriageway at junctions and roundabouts and these may be sufficient to alleviate current queues at peak times (shift changeovers and school hours) but plainly will not address the proposed increases in traffic demand.

When the Omega South site was first being discussed, the provision of a second motorway junction on the M62 was actively being considered. The Parish Council is extremely disappointed that both Councils are supporting the further development without a concerted campaign for an additional motorway junction. We are aware that Highways England do not support this but feel a properly structured business case with lobbying of appropriate Government officials should be undertaken. Failure to do this will result in an erosion of the wellbeing and community spirit for the existing residents of Great Sankey.

The Planning Statement refers to the proximity of three major rail corridors (Section 2.14). There is, however, no direct rail link between Warrington and St Helens and any journey undertaken by employees would therefore also need to involve further alternative transport modes.

The Transport Statement recognises that the rail stations, both Warrington West and Sankey-for-Penketh, are approx. 3.8km from the proposed development site (Sections 3.4.4 & 3.4.8) and that this is in excess of the maximum recommended walking distance of 800m (CIHT 2015). To mitigate this, Section 3.4.11 suggests that 'it is anticipated that a new or existing bus service will link the station with Omega South' although there is no detail on any discussions or agreements with bus companies. However, in addition and somewhat contradictorily, Section 3.4.4 states that the distance from the rail stations is expected to be greater than the recommended maximum walking distance as the site is deliberately placed outside the residential area of Warrington to take advantage of the strategic road network.

### Green Belt

Section 8 of the Planning Statement deals with 'Very Special Circumstances' which justify the development. Section 8.2 a) refers to occupier-led need and is expanded upon in Section 8.4. The statement makes no reference to the fact that the applicant company are currently based on a comparatively recently developed industrial estate (Gilmoss, East Lancs Road). Internet research shows that there are still units available for occupation on this site. No evidence has been put forward as to why the existing recent and modern premises are not capable of servicing their current and future business requirements.

The existing site provides easy access to the M57 which allows ongoing motorway access to the M62 or M6. The final line of Section 8.4 states that the company wish to take advantage of the specific locational advantage provided by the application site. It must be the case that, in order to justify the requirement of 'Very Special Circumstances' which allow Green Belt development, the 'specific locational advantage' provided by the site should be fully outlined and considered before making a decision to build on Green belt land which only has two points of ingress/egress via a neighbouring authority.

The applicant suggests that harm to permanence within the Green Belt will be limited because development will be seen as a natural extension to the current Omega site, and that any harm will not be substantial (para. 7.45). However, Sections 8.11 and subsequent of the Planning Statement deals extensively with the need for further logistical expansion, particularly within the North West and Liverpool city region. This application, if approved, will allow development on Green Belt land, leaving a further area of Green Belt land within the borough of St Helens to the west of the site as far as Clock Face Road. Given the stated need for employment opportunities, it is our view that this

proposal will set a precedent and the longer-term temptation will be to extend further development onto the remaining Green Belt land and contribute to urban sprawl.

It is our view that insufficient evidence has been supplied as to why alternative sites not on Green Belt land cannot be found. This is especially so in respect of the needs of the Port of Liverpool as mentioned because the current owners, Peel, have extensive plans for the full development of the northern dock area.

### Other Issues

On 13th January 2020, Great Sankey Parish Council forwarded a letter to the planning department at St Helens Council with copy correspondence to Warrington Borough Council requesting that the Parish Council be added to the consultation list for the Omega development. This was prior to any knowledge of the current planning application being listed.

We were extremely disappointed to find out about this application through word of mouth rather than any official notification from St Helens Council. Furthermore, the timeframe for response is extremely short given that there are over 200 supporting documents for the application. In the timeframe available, this is an initial response outlining the objections of Great Sankey Parish Council.

We would also like to point out that information provided to the local community has been non-existent. Given the existing concerns of residents regarding traffic levels, infrastructure difficulties and parking issues, which Warrington Borough Council are aware of, there are clearly issues arising from the lack of consultation.

As a result, Great Sankey Parish Council submits that the planning application should be rejected based on the reasons given in this letter as well as on the grounds of failure to consult with residents and appropriate groups, including ourselves.

We respectfully request that the following conditions are met:

1. The deadline for submission of comments by members of our community be extended to allow for proper consideration of the application.
2. That we are allowed to submit amending documents/further information if required.
3. Once a date is set for the consideration of the proposed development, Great Sankey Parish Council is granted a right of audience with the ability to contribute as necessary.

### **3.83 The Countryside Charity Lancashire, Liverpool City Region and Greater Manchester.**

I am writing on behalf of CPRE Lancashire to object to planning application: P/2020/0061/HYBR Omega 8.

CPRE is the countryside charity that works with communities, businesses and Government to ensure that our countryside and green spaces can thrive in the future. Unfortunately, this application is contrary to both the National Planning Policy Framework (NPPF), and development plan policies, in so far as protection of Green Belt purpose and high quality farmland. The supporting evidence does not adequately show Very Special Circumstances.

The NPPF states that decisions must be taken in accordance with the development plan, unless material considerations dictate otherwise. The development plan is comprised of the saved policies of the Unitary Development Plan (UDP) 1998, and the Core Strategy adopted 2012. There are also proposed policies in the emerging St Helens Emerging Local Plan Submission Draft Jan 2019 (LPSD), however, this has yet to be examined or adopted so can only be given limited weight. Of concern is that the St Helens local plan relies on the Liverpool City Region Combined Authority (LCRCA) Strategic Housing and Employment Land Assessment (SHELMA), which uses highly optimistic economic conditions that have failed to materialise in reality due to Brexit, and other economic uncertainties.

The inflated Employment Land Need identified in St Helens, and in all authorities across the region, depends wholly on the release of Green Belt land to be viable. The SHELMA is procedurally flawed as it assumed Green Belt release, without assessing the actual harm of doing so. In this sense the SHELMA is invalid.

The application is not compliant with NPPF 2018 Section 11 Making Effective use of Land, as paragraph 137 requires that Local Plans “makes as much use as possible of suitable brownfield sites and underutilised land. The Brownfield Register does not record all the suitable brownfield land in St Helens that could come forward for B8.”

Locally the application is unpopular due to the significant and substantial harm to Green Belt that would result. CPRE Lancashire echo's the concerns raised by The St Helens Green Belt Association (SHGBA), which commissioned an independent planning consultant, who challenged the LPSD Employment Land Need estimating it to be of the order of 93.1 hectares rather than 215ha. We are also aware that Culcheth & Glazebury and Croft Parish Councils commissioned Peter Black of Black Fryers, who provided professional planning advice to estimating the Employment Land Need to be overestimated by 329% at 69.1 hectares, concluding that the Councils figures are just not credible. Furthermore, independent Glen Athey an independent expert economist found that there are flaws in the employment land calculations, procedure for justifying exceptional circumstances, a lack of transparency and the need for a refresh to be up to date. Exceptional circumstances to justify Green Belt release in the Local Plan needs to be robustly evidenced to be justified. To date this has not happened.

CPRE Lancashire is concerned that the Duty to Cooperate with neighbours has not been fully carried out and the Council should produce a Statement of Common Ground (SoCG), as generally there has been an absence of a joined-up spatial planning approach by neighbouring authorities concerning the cumulative harm to Green Belt from a number of speculative large B8 employment applications along the whole of the M62/M60 corridor. These include, but are not limited to: Birchwood J11 M62; Haydock Point and Florida Farm Junction 23 with A580; Winwick Road J9 M62; Lymm and Appleton J20; M56/M6 (J9) - currently 145,000 sq ft of logistics space; proposals for 600,000 sq ft Green Belt warehouses due to be re-submitted (Stobart); sites in the Greater Manchester Spatial Framework; Airport City and Wigan at South Lancs Industrial Estate Ashton and Leigh. Development in the Green Belt on this scale is unsustainable. The road based schemes are increasing traffic significantly to the detriment of the local transport network and national motorway network. We hope the emerging Spatial Development Strategy once improved and adopted will resolve this situation.

The cumulative impacts from this and a number of other proposals are significant and substantial. Although seldom used, this case might be considered as a, premature application as the cumulative effect of such a large incursion into Green Belt as it is so significant. Granting permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan, as set out in NPPF Paragraph 49 under 'Determining Applications'.

The application site is in The Bold Forest Park Area Action Plan. (BFPAAP), which is included in the emerging Local Plan, (Ref 1EA in the Local Plan Submission Draft). The BFPAAP notes that it is subject to the 2012 Core strategy 3 and the Emerging Local Plan in terms of Employment Land Need – para 1.2.3. Site 1EA was included to meet Warrington's Employment Land Need under the Duty to Cooperate and was recorded as 31.22 hectares, whereas the proposal would increase the area to 75.3 hectares. 10. One problem of all this HGV based development is the harmful impact on air quality, and there are existing issues with air pollution in the area and region. The Council may struggle to meet its statutory obligations with regards to air quality and it must abide with Government and European obligations.

Importantly actual job numbers created, in comparison to that number are very low at nearby employment developments. For example, at Florida Farm 2,500 jobs were forecast at the planning stage and a further 2,500 jobs created in the community. Occupiers, Amazon and Kelloggs have recently moved into these units providing a total of 320 jobs. This level of job creation is paltry when considering the loss of natural capital value of the Green Belt land sacrificed. Future automation means there is less of a prospect of achieving the right level of jobs.

CPRE Lancashire remains critical of the Government's approach to the Standard Method for housing calculation due to the flawed assumptions. There are simply not enough people to live in all the houses being proposed in all growth areas nationally, unless the Government changes its immigration policies. The background papers to the Queens Speech identified a lower annual national housing requirement and this will be evidenced by forthcoming ONS 2018 population

based, household data. The same is true for employment, as when one local authority creates a job, another local authority will lose an employee, as there is a finite labour supply.

We do not believe the applications adequately evidences Very Special Circumstances required for Green Belt development. The bar set for VSC is high. Best and most versatile land should be protected and this site is BMV grade 2 which is high grade. Where will future generations grow food? The protection of fertile soils is important as food security is insecure.

The Government has set a guidance of Biodiversity Net Gain +10% to achieve its 25 year Environmental Plan. We do not consider the BNG to be adequate. 4 Summary 16. This application should be refused due to the negative planning balance arising from harm to Green Belt, which is a nationally significant designation. In addition, there is an absence of robust evidence to justify Very Special Circumstances. There will be a harmful impact upon the democratic process to achieve the Liverpool City Region Spatial Development Strategy and the emerging local plan.

#### 4. REPRESENTATIONS

4.1 The application was publicised by press notices, site notices and individual neighbour letters in both St Helens and Warrington. There have been three rounds of consultation and 118 independent letters have been received. In addition to the Parish Council consultee comments above, 1 Councillor from Warrington and two Councillors from St Helens have objected and a Warrington MP has objected. The objections are summarised below.

##### 4.2 Principle

- Development is on Green Belt Land
- The socio-economic arguments for simply do not add up and are built on shifting sand, they do not prove without doubt that the local economy will be sufficiently improved. The jobs numbers cited are not absolute and employment contracts being offered traditionally by such establishments are often detrimental to the local community offering no certainty, to be clear logistics is a rapidly digitised and atomized sector, which will offer little or no pay off to the local community and economy, and will hinder the long-term strategy to bring longer term employment and prosperity to the area.
- not a suitable use of greenbelt land and land designated as Bold Forest Park
- let's look after our greenbelt land, the nature that lives within this area and the natural space it offers for people living in this area. We have lost so much greenbelt land from our town already!
- I do not believe the applications evidences for very special circumstances required for green belt land development - green belt land should not be built on.
- 185 acres of greenbelt being used instead of brown field sites within the boundaries of St Helens i.e. many old industrial sites factories etc.
- St Helens will benefit from this development but will have no need to put any infrastructure in place, as it will utilise existing roads and motorway already put in place by Warrington borough council and Omega  
A win-win situation for St Helens with no disruption to St Helens as it is on the boundary.
- difficult to believe St Helen's does not have enough brown field sites to use to construct such buildings.
- also warehouses sitting empty- 4 of them surrounding the Royal Mail site so I fail to see why another 4 need to be built . I fear this council is being very short sighted in its decisions as these decisions will have large impacts on future generations because this land can not be returned to its originality the loss of wild life would be lost , just as so many are in forever declining numbers due to development , in the case of butterflies and bees these are essential to our very existence.
- Look elsewhere and not the easy quick money making options
- There are areas in the borough and also in Warrington that are brownfield and therefore more suitable to be use. The need for more distribution centres in this area is questionable. I understand that the proposed occupier of this proposed site has a large warehouse in the

region which is in a good location for roads etc. so why does it need to move? Reduction in good quality food land

- Taking Green Belt land away from the public
- Land used by the public will be lost forever.
- The 75 hectares of farmland and woodland proposed for this development are all, except for one field (which is improved grassland) high quality farmland
- Plenty of other sites to look at than to destroy Green Belt.
- Green Belt land should not be used for private commercial gain.
- No St Helen resident will benefit from this.
- Farmers at risk of bankruptcy or low income
- Understand the Government is allowing local authorities to relax planning regulations for houses in area of need but this is not for housing and should be rejected.
- There is substantial brown belt land to build on in St Helens and not just take the easy and cheap option of taking Green Belt.
- Will impact the landscape of Bold Forest, another loss of Green Belt land used by walkers.
- Loss of valuable Green Belt land
- Destroying Green Belt
- All benefits seen in St Helens and disbenefits to Warrington
- Contrary to St Helens own policy of Brownfield first. the impacts of the development are upon heritage sites, the forest park and damage to old established woodland. Development of this type should only take place on greenbelt and greenfield spaces where special circumstances are demonstrated, the developer has not demonstrated this.
- The building will have little benefits for locals most likely with few jobs available for local workers
- Are presently used by dog walkers, so much of open and green space is being taken over by warehouse.
- Limited gain to the local economy in terms of local employment – jobs in logistics industry are low paid and warehouses are likely to be automated.
- The jobs protected for a similar proposal at Florida Farm have left an ugly blot on the landscape with little employment and at low of subsidised business rates for the Council.
- Destroying valuable agricultural land and huge swathes of Green Belt.
- The area was part of the Bold Forest Greenbelt leisure plan which promised to protect Green Belt, local history and to attract a leisure and tourism industry. The proposal is a huge reversal to what the Council had planned, why?
- Warrington started this development on brownfield sites (Burtonwood airbase), St Helens will start this on Greenfield, why?
- Putting profit before community and leisure facilities
- Against Green Belt interest
- Excuse to create jobs is a joke after what happened in Haydock and North Florida Farm where only a small number of jobs were created.
- Must be brownfield sites more suitable for regeneration.
- Does not adequately enhance the very special circumstances
- Are is a hive for walkers, dog walkers and cyclists
- We talk about mental health every day, this area should be preserved , gives people the opportunity to enjoy the countryside and Bold Forest Park.
- Covers a portion which is earmarked for a new bridal way network. This will severely impact on the equine economy. This was highlighted as a priority and unique, significant opportunity.
- Policy BFP ECON1 of the Bold Forest Area Action Plan talks about 'Supporting Economic Growth'. This proposal would reduce the range of quality businesses and or tourist attractions and facilities will be resisted unless it can be demonstrated that there would be no adverse impact on the local economy, the environment or quality of the visitor experience.
- Policy BFP ECON1: it is well documented the impact the proposals will have on the visual amenity of the area, with the development visible from many locations within the forest park. The visual amenity of the area is a key aspect in attracting visitors to the forest park and their experience. Removing the expansion of the bridleway network will restrict the development of the equestrian sector and the economic opportunities for local businesses associated with that expansion. The development of 75.3 hectors will have an unprecedented impact on the

environment, not only on physical space, but also air and noise pollution. Even more so when it is considered the Local Wildlife Site with ancient woodland at Booths Wood, which runs adjacent to the proposed development.

- number of warehouses in the area which are still unoccupied and I therefore question the need for more warehouses to be built.
- The proposal has been shown to reduce the range and quality of business or tourism attractions. The proposal does not demonstrate there will be no adverse impact on rural entrepreneurship and therefore the local economy, the environment and the quality of the visitors experience and therefore the Council must resist this application.
- St Helens Local Plan recently delayed/deferred due to town centre considerations. The application must be shelved as a result until further decisions have been taken.
- No VSC sufficient enough to justify destruction of green belt on such a colossal scale
- Lack of support for the infrastructure
- The boundaries between St Helens and Warrington will become blurred, one town.
- Lack of infrastructure surrounding
- Not in the public interest
- Florida farm jobs return was not what was promised and traffic and pollution has gone through the roof.
- Warehouses should be built on brownfield land which St Helens still has available
- Is not compliant with NPPF 2018 'making effective use of land, section 11 paragraph about using suitable brownfield and under utilised land. There are other brownfield sites in St Helens and yet 75 hectares are being given away.
- Bold Forest Action Plan devised and adopted at great cost to the taxi payer.
- Compromise BFAA
- Rapidly losing countryside
- Will discourage people using local parks and forests
- Not aware of any special circumstances
- Aware of various vacant warehousing on current omega site so why do we need more?
- Will bring no benefit to St Helens
- Destroying lovely part of Bold Forest Park.
- Bold Forest Action Plan better proposal for preserving land for recreational use.
- Detrimental effect on rural area
- Does not provide very special circumstances.
- Jobs would minimum wage and unstable which are not jobs which are needed. Jobs created is grossly exaggerated. Florida farm said 2500 jobs but only 320 jobs have been created with Amazon and Kellogg's.
- Encroachment of a Warrington Development into St Helens
- Developers don't want to pay rents on units in Omega and other sites.
- The proposal is property speculative. They seek to make millions of pounds in profit to the detriment of the people of Bold and will suffer the loss of the Green belt and harm to BFAA.
- Based on the previous draft of the local plan.
- Land is available in St Helens to build the development.
- Detrimental impact to village of Burtonwood
- Better suited located within under-utilized warehousing in St Heles where adequate infrastructure is in place.
- Isn't compliant with NPPF section 11 'Making effective use of land 'in terms of making use of suitable brownfield sites and under utilized land.
- Proposed jobs dismal when compared with loss of natural capital value of green band lost. Future automation means there's less prospects of achieving the right level of jobs in this area.
- Warehousing is not going to generate many jobs,
- There is no mention in the application of revenues that might accrue to the councils of St Helens and Warrington if this proposal went ahead, so presumably this is not part of any argument being attempted for the existence of 'very special circumstances'. This appears to make sense, since both the overall Borough Council budgets run into hundreds of millions of pounds, so any revenue from these developments would be small when compared with their total budgets

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- The area is saturated and the green belt should remain
- Sure this is a done deal and whatever is said by the community will be ignored for profit.
- Last few years St Helens council have had little regard for the protection of our land. Green Belt should be maintained and protected above all else especially when there is suitable brownfield land that could be developed. Question about money and differing costs between development of Green Belt and brownfield in the land scheme is small and irrelevant based on ethics alone.
- The green belt land in question sites back centuries, why should it be destroyed for warehousing. Future generations will not be able to enjoy and experience it.
- What assessments have been undertaken in regards to infrastructure.
- In the short term jobs might be created but in the long term this will not be maintained. Florida Farm is an example.
- Roads, schools and doctors cannot cope with the level of development.
- Concreting over open natural spaces.
- As a teacher I am promoting the protection of our environment but then powers that be are making choices which go against all values in humanity. End up with a generation which has never sat amongst meadows or trees and listened to nature or experienced open spaces.
- This is our history and legacy and lets protect that. Do not let William Blake 'green and pleasant lands' be known as 'England's flattened, concreted warehoused flooded lands'.
- Consider a cleaner project such as a nature reserve.
- The application in Warrington (2019/36241) and this application raise matters of cross boundary concerns which are linked and should be determined together.
- Grant of planning permission for the Warrington scheme (2019/36241) and this application would be premature pending adoption of the Warrington and St Helens Local Plan. The impact on the plan making process by the matters raised in the linked applications are a material consideration which weigh against the grant of planning permission.
- The central thrust of the advice in NPPF ¶49 & ¶50, and decisions taken in Truro1 and Veiola2 which speaks to the public interest in ensuring that the plan-making process, and the public confidence in it, is not undermined. The stage of preparation of each development plan is plainly a matter to consider and there are a number of factors that demonstrate justifiable grounds to refuse on prematurity even if it is considered either plan is not substantially advanced.
- The St Helens Scheme is promoted to support Warrington's unmet employment need under the Duty to Cooperate. Duty to Cooperate is a legal pre-condition to adoption of the Local Plan and is plainly a matter for the Inspector to consider in the Examination for each authorities' Local Plans. To grant permission is to pre-empt such a decision.
- Granting permission for 75 ha of Green Belt land for employment needs pre-empts critical issues of the Local Plan process: a. The amount of Warrington's unmet need. This is not yet set through the Examination and yet the St Helens Scheme seeks to meet this unapproved need, and indeed relies expressly on the emerging WLP and SHLP as part of its case for very special circumstances to meet said need. b. Irrespective of the amount of Warrington's unmet need should permission be granted it presents a fait accompli to the Inspectors and public alike in both Local Plan examinations as to the location of where to meet such need.
- Granting permission for the St Helens Scheme could pre-empt decisions relevant to the calculation of employment land need in St Helens, the location of employment allocations and any division of needs between Class B land uses.
- There are and remain substantial unresolved objections to both the WLP and SHLP around matters of housing and employment needs, allocations and various other policies. It is therefore usual for decision-makers to give, per NPPF and PPG advice, more than limited weight to those emerging policies. And yet, in both applications it is the applicant that relies upon the emerging Local Plans and is asking each authority to place more than limited weight on the evidence in support of each scheme.
- As example in the Warrington Scheme Planning Statement, ¶8.50: 'As such, whilst not yet adopted, it could be argued that the Draft Local Plan should be afforded reasonable weight in the Council's decision making process due to the fact that it represents the Council's most up-to-date policy position.' (emphasis added) Or in the St Helens Scheme Planning Statement, at ¶8.51:

- 'To satisfy a 'live' occupier-led need and the requirements of the emerging policy both generally and specifically, there is a requirement for the proposed development at Omega Zone 8 now, which will contribute to meeting the clearly identified need, whilst enhancing the existing logistics facilities at Omega for the benefit of the Region.' (emphasis added).
- As both Schemes, (promoted as they are by essentially the same developer), place reliance on emerging policies and clearly seek to afford more than limited weight to them, it only adds to the argument that to grant permission for either or both Schemes would be premature per NPPF ¶49 & ¶50. If only limited weight is to be given to emerging policies that this undermines the presented case for both developments. Absent of weight there is no evidential need for the speculative element of the St Helens Scheme as set out elsewhere removing a central pillar of its case for very special circumstances.
- Emerging Local Plans - More than limited weight is placed on the emerging Local Plans for each authority. Yet in doing so the potential impact of the two schemes would serve to undermine the emerging evidence base to both plans. Supporting the WLP the Economic Development Needs Assessment, 2019, prepared by BE, sets out the basis for identification of 31.2 ha of employment land to be allocated at Omega West within St Helens borough under the Duty to Cooperate. Emerging WLP Policy DEV4 references the 31.2 ha and supporting Table 6 frames the figure in a residual calculation against existing employment land supply. It is plain that loss of the B1a land to housing use will serve to increase the residual calculation or to increase Green Belt land release in Warrington above 215 ha. This is because the B1a land is currently accommodated in the baseline as committed employment land. Its loss can only mean more Green Belt land release, either in Warrington or St Helens, because we already know that there is insufficient non-Green Belt land to meet needs. Thus, any decision on both schemes will not only present a *fait accompli* on the scale and location of development within the two emerging plans through the Duty to Cooperate, but will reverse engineer the evidence base to which the applicants are seeking to place more than limited weight.
- The application also notes that there is currently no Local Plan in force and therefore any arguments they make have to be based on prior relevant documentation, but it does reference the significant weight of supporting documentation that has gone towards the development of the Local Plan.
- It is clear from the draft Local Plans for St Helens and Warrington, as recently issued for wide consultation, that this application is not in step with either of them. For example, the need for expansion onto this area of Bold Forest Park Green Belt land was not being proposed in their Local Plan by St Helens for any reason and was not identified for future St Helens employment needs. Instead, under 'duty to cooperate' with other Local Authorities, an expansion to Omega South onto St Helens Green Belt land was being considered from a direct request by Warrington Borough Council. This was based on Warrington's perceived needs for future employment land over the two decades covered by the plan. It turned out from examination of the Warrington Local Plan, which is also in the final stages prior to issue, that this was being driven by Warrington's 'aspirational' plans for projected growth and so was not necessarily justified. The calculations underlying the predictions appeared questionable on at least two the grounds. The first was that the projected growth estimates used the massive and unrepeatable opportunity presented by developing the abandoned Burtonwood aerodrome into what is now the vast Omega site. The second was ignoring the redevelopment potential of the enormous Fiddler's Ferry power station site.
- The 'very special circumstances'. This advantage is claimed from a potential for the creation of '3000 local jobs'. These jobs must be those that might arise from future operation of the warehouses and not during the years of construction, since building firms use their own personnel. However, this operational phase projection is highly uncertain and likely to have been over-estimated, judging by the figures quoted. The headline figure of 3000 has been rounded from a calculated figure of about 2600 in the application, which is the total projected employment for all four of the proposed warehouses – Sites 1, 2, 3 and 4. Using the industry standard figure for this type of B8 development, which is 80 metres squared per employee (Employment Density Guide, UK Govt, 3rd Edition 2015, Section 4), and the areas of the warehouses as in the submission, it is straightforward to calculate a total figure similar to the 2600 quoted. This would breakdown as about 1000 for the TJ Morris Site 1 warehouse of 81,000m<sup>2</sup>, and about 500 each for the other three proposed warehouses on the 75-acre site, giving a calculated total of about 2500 persons. But the generic figure of 80 m<sup>2</sup>/employee

used in this calculation might well not apply to the proposed Site 1 warehouse as it is based on the whole range different size and age of B8 warehouses, the majority of which will not be up to date.

- many warehouses are small and labour intensive compared with a modern, massive distribution centre. For example, the proposed Site 1 TJ Morris warehouse will not be operated the same way as Amazon use their warehouses so employment figures are not comparable. Looking across the UK and Ireland, there are very few warehouses in operation with this vast floor area, but one that has a similar floor area and purpose is the giant Tesco warehouse at Donobate in Ireland, which is Ireland's largest the world's 11th largest building (ref. en.wikipedia.org). Built in 2007, this employs about 600 people and has an area of 73,000 m<sup>2</sup> against the 81,000 m<sup>2</sup> for the proposed TJ Morris warehouse. Using the Tesco Donobate warehouse as the most relevant example, and given that newly built warehouses are likely to be more advanced than existing warehouses, employment at the Site 1 warehouse might be better predicted as 600, with employment for the remaining warehouses, calculated on the same basis, being up to about 300 each.

Warehouse	Area	Number of Employees	Comment
Tesco, Donobate	73,000 m <sup>2</sup>	600	Existing
TJ Morris, Site 1	81,000 m <sup>2</sup>	Uncertain	See below

- However, this is by no means the full story in terms of trying to predict future St Helens employee numbers. With continuing rapid advances in automation, these potential 600 jobs in the Site 1 warehouse might well reduce significantly over a timescale as short as a decade. Approximately half those in a modern automated distribution warehouse work at the goods-handling level – the remainder are more skilled maintenance staff, administrators and managers etc. Therefore, with further automation, half of the jobs are at risk of disappearing. This potentially reduces the number of employees at Site 1 to about 300. Employment levels for the other proposed warehouses would be equally uncertain.
- when assessing any potential contribution to local St Helens employment needs from this proposal is the fact that two million people live within half an hour's drive of this area, as pointed out in the Bold Forest Park Area Action Plan, Section 2.2. Therefore, in practice, most of the projected warehouse employees are likely to come in by car from elsewhere in the region, with any benefit to St Helens itself being tiny.
- there is no requirement on the developers for any quoted employment numbers to materialise, which is inevitable as the business will need to operate competitively into the distant future. Improving automation in many other industries has already reduced the workforce to a fraction of that required previously. Concerns have been expressed that relying on logistics for the economic future is a jobs timebomb that will ultimately see any money brought in from business rates wiped out by lost council tax revenue and increased outgoings for benefits and support for the people who will lose their jobs to automation.
- with vehicular access being solely from the Warrington side, it is not surprising that any benefit from this development is viewed – as per the Local Plans – as being requested for the possible benefit Warrington rather than St Helens. Improving local access to Omega South for those in St Helens with improved footbridge access over the M62 is unlikely to alter this perception of the proposed development.
- This proposed Site 1 warehouse is stated as being of great importance to the future expansion TJ Morris, which has plans to double its number of stores. However, this is a separate argument to the development being of benefit to St Helens, as needed to provide a justification for its being sited at this St Helens Green Belt location. From the application, TJ Morris appear to have the need for an enormous warehouse of exceptional dimensions. With its 500m length, up to 200m width and 29m to 41.m height (to the eaves) – which is the height of a 12-storey office-block - its size would make this warehouse the largest building by volume in the UK and put it among the top ten in the whole world. This is, therefore, exceptional request. It is not clear in the proposals how much of this requested enormous size and great height is essential to the building's function and performance, current or future? Perhaps a much smaller, lower building would suffice, in practice? Alternatives are not discussed. However, a plan for a smaller building would no doubt increase the number of alternative locations where

it might be accommodated without causing the massive harm it would at this currently proposed site. [addressed]

- The question also arises as to whether this warehouse would work best at this location or elsewhere in the region or the wider UK. The submission says that there is nowhere else suitable within St Helens or Warrington, because of its great size and need to be very close to a motorway for all the HGV access, but there may well be other suitable locations within the region that are available now. One example would be the Ma6nitide site located near M6 Junction 18 in Cheshire that is advertising space for warehousing of a similar size to this. Ma6nitide offers the advantage of being half an hour down the motorway closer to London and the South, which would make a significant difference to the populations within reach inside the 4.5-hour HGV travel limit that governs commercial distributions logistics. Other sites are no doubt available in the UK – some with rail access, which would offer a more sustainable transport solution into the future than being solely reliant on HGVs. It is stated in the Warrington Economic Development Needs Assessment (EDNA) 2019 that: “Of the strategic sites which may compete with Omega, and its successors, Ma6nitide (Middlewich, Cheshire East) is the most significant existing site and Parkside (St Helens) will be most significant in the future. Provision of several other strategic development locations, with links to Warrington, is put forward in the 2016 Greater Manchester Spatial Framework...” Therefore, the argument is not made that this proposed St Helens Green Belt farmland location is the only one available for this massive Site 1 warehouse.
- These additional warehouses appear to be proposed on a speculative basis and also just to help define a boundary for the removal of a total of 75 hectares from Green Belt to ‘square up’ the site after laying out enormous Site 1 warehouse.
- The Warrington Scheme Planning Statement, The applicant is clearly seeking a positive benefit in the planning balance from consistency with the revised Omega Masterplan. ‘It is not considered appropriate for the Masterplan itself to comprise part of the application and therefore subject to formal approval, as this represents only a vision of the site at this moment in time.’ If it is to have no formal status then it cannot be given any material weight in the planning balance. Second, there is no evidence that the revised Masterplan has been subject to any public consultation, no publicly available papers have been found to show how this discussion was held and agreement reached, or to what formal status, if any Warrington Council (or St Helens for that matter) give to the masterplan. The Warrington Scheme presents little more than a summary of market conditions to explain why the B1a land cannot be delivered, see Planning Statement ¶¶4.1-¶¶4.7. As evidence upon which two linked applications are balanced to permit a departure from adopted development plan policy in both authorities’ Local Plans this is can only be afforded limited weight; if any weight at all. And it is presumed this is the same ‘evidence’ to which the Omega Masterplan revision is based upon. A circular argument that does not gather weight by momentum but merely casts light on its weakness.
- NPPF ¶133 states; ‘The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential Characteristics of Green Belts are their openness and their permanence.’ Recent Supreme Court decision R (Samuel Smith Old Brewery) v North Yorks CC [2020] UKSC 3, confirmed that the concept of openness in national policy was a broad policy concept, and one that involves a judgment which can include both the spatial and visual aspects of openness. The St Helens Scheme Planning Statement concentrates largely on the visual aspect of Green Belt openness, the impact of the proposed development and proposed mitigation – for example references to structural planting, the quality of the existing site and visibility from publicly available views. It is accepted these are all relevant matters for consideration in the planning balance. There is a distinct lack of assessment on the spatial dimension of openness and the very distinct and substantial impact the built development will have on openness and the ability to keep the land permanently open in this part of the Green Belt.
- Contrary to Green Belt Policy as inappropriate development in the Green Belt.
- No green belt should be destroyed when sufficient brownfield exists
- Question companies ability to fulfil plans
- If all NW councils agreed planning permission for extensive building on green belt there will be little left to enjoy.

- Warrington Omega was built on brownfield a former air base, destruction of green belt on the same purpose cannot be justified.
- Demonstration of very special circumstances is a matter of planning judgment and it does not require a 'special circumstance' to be demonstrated in its / their own right, but can be an accumulation of ordinary circumstances that in combination provide the weight to clearly outweigh the accumulated harm per NPPF ¶144.
- Metacre accepts the specific need for Home Bargains is broadly demonstrated on the available evidence and its own knowledge of the wider market and availability of suitable sites. As to the speculative need it appears that: 1) There is no clear evidence to support a need for 40 ha of B2/B8 floorspace in St Helens borough generally or at the Omega site specifically; 2) To the extent the applicant claims the floorspace is said to contribute to meeting Warrington's unmet need in its emerging WLP, a figure of 31 ha, the proposed development is substantially in excess for no apparent reason; 3) It is not apparent how the 40ha figure for speculative B2/B8 floorspace has been derived in evidence supporting the application; 4) The sequential site assessment, at least as presented, provides little to no evidence of any consideration of alternative Green Belt locations for the speculative element of the floorspace; 5) There is no assessment that disaggregates what is clearly possible to disaggregate into 3 units for the speculative B2/B8 floorspace. Furthermore, it is clearly possible to disaggregate into the Warrington Policy CS8 Omega area on available land, i.e. the B1a land to which the applicants in both schemes state is available for alternative use. Such an approach is clearly preferable in policy as the Omega Warrington location is allocated for employment uses and would serve to reduce the need for development within Green Belt, and therefore reduce the impact on the Green Belt.
- St Helens Planning Statement ¶6.2 is wrong. Exceptional circumstances to alter Green Belt boundaries can only be considered through the preparation and updating of plans, where fully evidenced and justified per NPPF ¶136. To suggest, as the applicant does, that the age of the adopted UDP policies provides a case for exceptional circumstances be established in a planning application is misguided. Unintentionally the applicant has also highlighted that it considers the release of some 75 ha of Green Belt land for development is of a scale that ought to be determined through the plan-making process, thereby supporting our point that there is a case on prematurity to refuse planning permission.
- It is stated in the St Helens Scheme that the Home Bargains unit is proposed to meet the needs arising for employment land / jobs for St Helens and not Warrington, but the speculative B2/B8 use is to meet the needs of Warrington in its emerging WLP – notwithstanding that the proposal is substantially greater in area as set out elsewhere. It is not entirely clear in evidence how this is the case and how it could not be the reverse situation. This is important because in the reverse it would remove at a stroke the justification for the 40 ha of speculative B2/B8 land because the Home Bargains unit is broadly commensurate with Warrington's identified need under the Duty to Cooperate. And, it removes the impact and harm to the Green Belt by reason of inappropriateness deriving from the speculative development. It still leaves unanswered the reason for the loss of the B1a land to a non-employment use, but because the emerging WLP evidence base includes the delivery of the B1a land alongside its proposed 31 ha expansion of Omega within St Helens, it would appear that the Home Bargains unit could be developed without the necessity of the loss of the B1a land to balance traffic impacts. It would remain available for additional B2/B8 floorspace in line with adopted (and emerging) development plan policy
- any development must fully contribute to the Parks Aims and Objectives. The proposed development is in direct conflict with many of these objectives and the aim of the forest park and therefore must be rejected. The application documents that the development will be visible from many areas within the Forest Park. Along with the increased traffic, pollution, noise, loss of habitat and wildlife, the proposed development will negatively impact on the area attractiveness to visitors. It does not create opportunities for tourism and leisure related business. It does not promote the provision and positive use of green space for the local community or visitors. It does not enhance the natural environment, expand biodiversity and landscape quality. It does not create quality outdoor space, it removes opportunities for physical activities and does not improve mental health and wellbeing for the local community or visitors. In fact, it has the direct opposite impact on all of these areas.

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- Inadequate evidence of Very Special Circumstances and does not meet the NPPF, section 13 paragraphs 133 -134 and 143-145 in protecting Green Belts.
- NPPF 2018 section 11, "Making Effective Use of Land", requires local plans to make use of as much brownfield land as possible, before building on greenbelt. There are numerous brownfield sites within the area which could be built upon, therefore I do not see how this plan could possibly comply with this requirement?
- inaccuracy of forecast employment figures. I believe that the Florida Farm development forecast a total of 5,000 jobs to be created in the local community, which no doubt went a long way in securing approval of the application. The reality, as I understand it, is that only 320 jobs have been created. I am concerned that a deeply flawed formula is being used to justify these planning applications.
- The recent and much disliked development at Florida Farm is a prime example of how far below expectations actual 'jobs created' is from what was projected.

Florida Farm promised 2,500 jobs at the planning stage and used this figure to overstate the importance of the development. Since Kellogg's and Amazon have moved into the units, only 320 jobs have come to fruition. This level of employment can nowhere near justify the loss of natural value of the land sacrificed. Moreover, as the levels Artificial Intelligence and automation increase, this makes achieving the original projected jobs even less likely. Amazon is a perfect example of what automated warehouses will look like in the near future.

- Semi-rural location and natural area, appreciated by the community, insurmountable challenges posed by climate change, this area will turn into an industrial zone with catastrophic effects on people and St Helens.
- This enormous land grab, along with planned houses is a penalty to local residents.
- Need for employment in the area but this applies to all boroughs in the area. The jobs stated at Florida Farm were overstated. Only 320 jobs created since Kellogg's and Amazon moved in. Level of employment does not justify the loss of natural land. As artificial intelligence and automation increases, achieving projected jobs is less likely. Amazon is an example.
- Deviates from the local plan. Disproportionate burdens to Bold Parish, destroy greenery and create a huge urban sprawl of two connected towns.
- Greenbelt built upon ignoring the brownfield first policy. Offering greenbelt so Warrington can meet their requirements is disgraceful.
- Does not comply with section 11 of the NPPF and paragraph 137. The scale of the development has over doubled from the 37 hectares identified in the plan to 75
- Omega has been developed over numerous years, with it being contained within the Warrington borough boundary. At no time was any extension into St Helens ever considered or planned.
- Greenbelt spaces are designated to provide green areas for residents to spend time during their leisure periods. This application completely falls foul of the regulations supporting the greenbelt. The fact that the alteration to greenbelt by St Helens has not been determined shows the speculative nature of the application and that the applicant has no respect for due process.
- There are plenty other areas of land within St Helens that developments of this type could take place. There is land along the M6 and East Lancs Road, land by the Rainford bypass and land along the St Helens expressway (bypass) which exits at junction 7 of the M62.
- The area designated in the application is one of 75 hectares, which although St Helens do not have a local plan, it exists in draft format only, it contains a desire to extend into St Helens but only with 30 hectares. There is also an application by St Helens, again not approved for the same 30 hectares to be removed from the greenbelt. This then in my opinion is a speculative application by a developer, prior to any local plan determination to develop in the greenbelt.
- The greenbelt as all planners and developers know, is there to stop urban sprawl across borough boundaries and therefore provide clear spaces to differentiate between urban areas. It is also there to provide green lungs and spaces for residents to spend time during their leisure periods. This application completely falls foul of the regulations supporting the greenbelt. The fact that the alteration to greenbelt by St Helens has not been determined shows the speculative nature of the application and that the applicant has no respect for due process.

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- does not comply with section 11 of NPPF 2018, with regards to 'making effective use of land'. Paragraph 137 requires that all Local Plans must make full use of all suitable Brownfield sites before expansion into Greenbelt can even be considered. 'Very Special Circumstances' which do sometimes allow this to take place, have not been defined or justified by St Helens Council.
- As for the scale of the development, 37 hectares were stated in original plan, this has now increased to 75, over double.
- Damage to regeneration - St Helens South is described as a deprived area and St Helens Council have plans in place to develop Bold Forest Park as a tourist attraction. Plans that will benefit St Helens in terms of tourism, the economy, employment opportunities and which will also provide residents with opportunity to engage in exercise. This application incorporates land that lies within the Bold Forest Action Plan and should therefore be refused. To allow this application for a warehouse to be built offering few employment opportunities - minimum wage and zero hours contracts will not help to regenerate St Helens or to empower it's residents.
- Urban sprawl - This plan incorporates land that lies within St Helens greenbelt which is there to protect the character of towns and villages. Warrington Borough council have built houses virtually up to the boundary of Bold Parish and any loss of greenbelt in this area would see two distinct towns from two different counties start to merge into one. Bold Parish itself has it's own unique identify and history which will just become lost if plans to encroach upon the parish are allowed to go ahead.
- It is my belief that this application contravenes the National Planning Policy Framework (NPPF) and the evidence provided by the developer does not satisfy the Special circumstances set out within this framework in terms of the protection of Green Belt
- 2. The NPPF states that decisions should be made in accordance with the development plan, The St Helens Local plan is currently in Draft format with no decision having yet been made.
- 3. Whilst I support the need for more employment and social housing, this development offers no certainty in terms of numbers of good quality, well paid employment and thus offers absolutely no certainty that this would bring prosperity to St Helens
- 4. In fact, the location of this site, should those elusive employments come to fruition, would mostly bring prosperity to the residents of nearby Warrington and not St Helens
- 5. The need for Logistics Warehousing is based on the findings of the Strategic Housing and Employment Land assessment (SHELMA) which in my opinion is based on data that is flawed, in fact the SHELMA states "the growth scenario is quite aspirational in nature" a fact that was proven by nearby Florida Farm
- The proposal erodes green space and will lead to the merging of towns.
- development is not appropriate for the local area and will have negative consequences for all residents in the surrounding areas.
- Encroach on green land surrounding Rainhill and Bold leading to unacceptable levels of urban sprawl
- disproportionately burdens Bold Parish with St Helens requirements. The combination of the two applications will destroy the last remaining greenery separating St Helens from Warrington and create a huge urban sprawl of two large connected towns.
- Mature woodland will be destroyed and Greenbelt built upon ignoring the Brownfield first policy. St Helens council is offering residents greenbelt land to Warrington so they can meet their requirements which is disgraceful.
- The 2019 Greenbelt Review recommended to allocate area 1EA, (Omega South Western Extension, Land north of Finches Plantation, Bold) to "to meet employment land needs arising in Warrington". This area measures 77 acres (31.22 hectares), however the submitted planning application covers an area of approximately 182 acres (73.65 hectares), an increase of 136% over the 1EA area.
- This increase in area is a result of including a 61.5 acre (24.88 hectare) land parcel to the south of the M62, (considered for safeguarding in the 2016 greenbelt review, but then removed from the 2018 review) and a 44.7 acre (18.08 hectare) parcel that has never appeared on any of the greenbelt reviews to be considered for removal from the greenbelt.
- The proposed warehouse plans shows the main blue warehouse to be positioned as far to the west as possible, avoiding the area highlighted in red (which is well within the 1EA employment allocation area). I can only assume this is down to arrogance & greed of the planners, to grab as much land as possible with no regard to the destruction of greenbelt & productive agricultural land.

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- St. Helens Council statements regarding the Local Plan & the Bold Forest Park Area Action Plan. I am unable to see how any of the above statements can be compatible with this planning application. I also fear that if this application is granted it will open the floodgates for yet more crackpot planning applications on irreplaceable greenbelt areas.
- add to the sprawling industrial
- Plus saying will bring jobs and workers to the area, where will they live and go to the GP
- destruction of over 190 acres of green belt land ( 106 acres of this land has NEVER been consulted on to be removed from the green belt in the St Helens local plan draft 2019.)
- This area of land is prime agricultural land
- The development of this land would have no benefit to the St Helens community as all access is via Warrington which for this area has limited links for St Helens people. Also the proposal for over 2000 jobs is over exaggerated. As proven in the Florida Farm development thousands of jobs were promised to get the development passed but on a few hundred have actually been created. False information to gain the development at the risk of green belt.
- the economic benefits to St Helens and the economy of the town are overstated and not guaranteed. Experience has shown that this is often the case, a recent example only returned a 10th of the projected job numbers.
- The remaining area of this proposed development land has NEVER been in the consultation period of 2018/19 of the local plan been referenced to be removed from the Greenbelt. How can land that people have never been given the opportunity to voice an opinion whether it should be removed from the greenbelt now form a major part of this planning objection? This surely is stopping people in the area voicing their opinion on how the area should be seen. The ability of the council to allow this also concerns me that other areas of the borough that are classed as staying as greenbelt in the local plan ( if approved by the inspector) could also be built on if the council sees fit.
- Village will be lost in Warrington.
- Destroying Green Belt in an area that in the last 15 years has been transformed from unsightly brownfield land and failing coal mine and produced budding Mersey Forest.
- I understand that St Helens has to date not submitted its Strategic Local Plan to the planning inspectorate? This large strategic application is not included and, in my opinion, circumvents the guidelines.
- Suggest that all (local, regional and national) growth plans need to be reassessed following financial effects of the on-going pandemic in the UK (as of the beginning of June 2020).
- 1.4 This is not a natural extension to the current Omega South development as it crosses a borough and county boundary, through a line of trees, onto Green Belt farmland.
- Need to keep a designated boundary between St Helens and Warrington
- We have had to watch as plans are put in place for the thousands of houses to be built on adjacent fields, swallowing up green belt land all around us. Gorsey lane is already a speed track and dumping ground for litter and fly tipping and if the houses go ahead it would be horrendous for the environment
- The St Helens Draft Local Plan had not identified any need for this Green Belt farmland to be used for employment, except as a request from Warrington in their draft Local Plan – which has been subject to objections and further review, especially as its basis was admitted in the report to be ‘aspirational’, the calculations taken for growth being at the top of the range calculable, without consideration of recent a historic peak of availability as a one-off, and the lack of consideration of the now closed vast Fiddler’s Ferry site as being relevant.
- The discussion surrounding B8 land that might be required for the Liverpool Port Project requires review in the light of the effects of the 2020 pandemic. Even before this uncertainty and likely economic contraction, the amount of land identified in addition to that already assessed was between 40 and 140 Ha ‘across the City Region by 2037. This hardly suggests an urgent need for these 75 Ha of prime farmland and woodland Green Belt, even before the current crisis.
- The Local Plan was requesting 30 Ha of land being removed from Green Belt and it was not clear what the land would be used for – initially housing was intended. So to change this from 30 Ha to 75 Ha for the purpose of giant warehouses completed changes the intent and level of harm as it now extends into the deer park, leads to the destruction of protected forest, blights the landscape with one of the biggest buildings in the world, and so goes far beyond what was

envisaged in the local plan – which itself has been the subject of objection both in St Helens and Warrington.

- The 'identified need for significant Green Belt release' has not been made or agreed. The Local Plan did not require this land to be released for employment purposes, except to help Warrington with their 'proposed' need – and their Plan was also the subject of objection and has not been published. In addition, the land being considered was less than half the area now being demanded and the additional 45 Ha of land greatly increases the level of harm done to the existing Green Belt farmland and woodland over and above the damage that would have occurred if the original proposal had been adopted, which was in dispute.
- Under the current circumstances an 'incontrovertible' need for this land is not currently established.
- The smaller site being considered under the proposed Local Plan of 30 Ha was deemed to make a 'Medium' contribution to the Green Belt in the area. This means that it provides a significant contribution – otherwise it would be designated as 'Low'. The removal of the 30 Ha was therefore argued in the publicly disputed Draft Local Plan as being worth consideration. This parcel of land was arrived at following consultation and involved a reduction in the original amount of land that was proposed as being suitable for removal from Green Belt in this location. However, the current proposal now far exceeds even the original amount under consideration in the Local Plan and therefore the amount of harm that was being considered from this removal of 30 Ha of land. It is therefore not correct and does not follow that removal of more than double the amount of land, involving significant damage to existing protected woodland, that had been avoided before, is in any way equivalent to removal of the 30 Ha being proposed in the disputed Draft Local Plan. Therefore, any statement made about this smaller parcel of land does not apply to the current proposal.
- Any aspirations for growth need to be reviewed in the light of the current economic effect of the pandemic. Notwithstanding that, the Port of Liverpool and similar projects in the area identified 165-225 hectares of land required for logistics over the next 20 years over the whole region including West Cheshire and the Wirral. The shortfall before the current circumstances was estimated to be 43 and 141 ha by 2037. Even under the old context, this does not suggest an urgent need for 75 ha of Green Belt land in St Helens.
- already has a large distribution centre at Gilmooss on an equivalent price of land that is BROWNFIELD so why not encourage them to build their latest application on another brownfield site?
- Encroachment onto Burtonwood and Bold settlements and countryside
- Expanding warehouse robotics at a rate of 12% CAGR as exemplified by low numbers employed at a recent warehouse development t Haydock. Overall projection can only be assumptions and not forthcoming.
- Unclear reasons for exclusion of brownfield sites on Omega south zones 1 &2
- Why no environmental appraisal.
- Siting of unit 1 takes large proportion of green belt and landlocks the remaining area. Ties the council.
- Reduction in agricultural land needs to be considered in maintaining food stocks post UK exit from the EU.
- Councils hands as they're may not b significant benefits. Does not clarify the siting.
- 2,500 jobs 'promised' only materialised into 320
- Plenty of the brownfield sites
- St Helens has suffered decline with the loss of its traditional industries. The current trend to develop the natural capital green space, that is a major asset, on the edges of our towns will lead to more blight in the future to further harm the wellbeing of St Helens and its residents.
- The Employment growth for the region and for St Helens is considered aspirational and is disputed in the representations made to the St Helens Local Plan Submission Draft Public consultation of January 2019. 10. The St Helens Green Belt Association (SHGBA), a collaboration of Eccleston Residents Community Association (ECRA), Windle Residents, Rainhill Save Our Green Belt (RSOGB) and Rainford Action Group (RAG) was set up to engage a Planning Consultant and Demographic and Economist specialists to comment on and respond to the LPSD.
- The SHGBA Planning Consultant, Kirkwells, challenged the LPSD Employment Land Need estimating it to be of the order of 93.1 hectares<sup>2</sup>. Moreover, the Planning Consultant, Peter

Black of Black Fryers, employed jointly by Culcheth & Glazebury and Croft Parish Councils estimated the Employment Land Need to be overestimated by 329% at 69.1 Hectares concluding that the Councils figures are just not credible<sup>3</sup>.

- The SHGBA LPSD representation drew heavily on the Economist's report undertaken by Glen Athey<sup>4</sup>. This report found • the transformational change scenario proposed by St Helens using Green Belt Land to be based on a subjective policy scenario, and not an objectively based needs assessment of economic and market trends. • He concluded "that St Helens Borough Council have directly informed a set of economic aspirations, that have now become joint planning policy – that endorses allocating new employment sites on green belt land and assuming these are built and occupied". • He also registered concerns regarding the transparency as no evidence submitted by St Helens to inform the LCRCA SHELMA was available for public scrutiny. • The evidence base to be out of date.
- In addition, CPRE Lancashire in their LPSD Consultation representation of the 13th March 2019 agreed that the Employment Land Need Assessment was 'policy led' and not 'objectively assessed' and requested that the assessment be corrected.
- The Employment Growth scenarios outlined in the St Helens LPSD are repeated in the remainder of the Liverpool City Region and all neighbouring authorities have adopted equally aspirational employment growth scenarios. Greater Manchester, West Lancashire, Warrington, West Cheshire and Chester all have proposals that are wholly dependent on the projected growth of logistics B8 warehousing. The Liverpool City Region growth is also dependent on the expansion and success of the Superport.
- Based on flawed evidence data, these growth scenarios based on logistics warehousing in all authorities are not achievable or sustainable. As a result, far more Green Belt release is necessary to meet a the resulting highly inflated Employment Land Need.
- It is known that the whole of the M62/M60 corridor is developing as an unplanned regional distribution hub. To our knowledge the following B8 warehousing is planned for: • Birchwood J11 M62, large industrial estate, again with many large distribution warehouses. Scoping for a motorway service station at junction underway. • Haydock Point (application P/2018/0254/OUP) and Florida Farm Junction 23 with A580 - large warehouses close to the junction - massive congestion even after the A580 junction with M6 was recently improved. • Winwick Road J9 M62, B&Q warehouse and J9 Retail Park operational. • Lymm and Appleton J20 - proposals for Green Belt warehouses. • M56/M6 (J9) - currently 145,000 sq ft of logistics space; proposals for 600,000 sq ft Green Belt warehouses due to be re-submitted (Stobart). • GMSF – various other plans for several distribution warehouses around the M60 • Airport City – large concentration of distribution warehouses built and planned • Wigan at South Lancs Industrial Estate Ashton and Leigh.
- The LPSD also does not indicate where the new workers are to come from. It is worth noting that if one Local Authority gains a resident, it has to be offset by a loss to another. The pool of INTERNAL (UK Residents) migrants is finite and across the UK, the net annual change across all Local Authorities is zero<sup>5</sup>. As aspirational employment growth is repeated across all authorities across the Northwest, it is difficult to see where the workers will come from. Inward National Migration is unlikely to meet this.
- There is a cumulative impact from a number of proposals and it is important that the planners present all the information on all the schemes to understand the economic, social and environmental impacts.
- No consideration has been given in the LPSD to food security. S
- England's Guide to assessing development proposals on agricultural land'<sup>34</sup>. The land covered by this application has an Agricultural Land Classification (ALC) of 2; a Best and Most Versatile (BMV) agricultural land classification. It is understood the application site is presently being used for agricultural purposes.
- Low paid jobs
- Contrary to Policy CA55 for rural St Helens.
- The Atlantic Gateway Project identifies Bold Forest Park one of four existing Landscape Assets and requires any development to be fully integrated with and contributing to the objective of making environments liveable and investable through exceptional landscapes: granting the application would completely disregard this aspiration.
- The Warrington Development Management Committee considered this application on 5th August 2020.

- a majority did not appear to support the application and abstained in the vote. Their concerns as expressed during the meeting included the significant loss to the Green Belt, the height of the proposed warehouse at 41m high, and the additional load on the motorway network given frequent problems have a knock-on effect on traffic in Warrington. After viewing the meeting, it seems that this application is not what was envisaged when Warrington Borough Council originally asked for cooperation from St Helens in providing Warrington with additional land for employment purposes up to 2035? As the current application far exceeds, by more than a factor of two, anything even tentatively under consideration in the draft strategic development plans, this may be one of the reasons for this reaction? In addition, there is known to be opposition to the proposal from the Great Sankey Parish Council, the Warrington South MP, plus a great many of those living in Warrington.
- Why can't St Helens council consider encouraging more attractive development in the Bold area to the south of the town to go with the existing golf, equestrian and horticultural facilities that bring in visitors, provide employment, and enhance the environment for local people? Having clean, quiet places for living and recreation, where families can be raised without the effects of industrial pollution is a major but fragile contributor to the area's wealth.
- the distance from the proposed Site 1 building to the houses in Clockface is 1300m, and to the proposed site boundary is only 900m. At a point where the Green Belt between St Helens and Warrington is only two kilometres wide, this proposal would reduce it to less than 1 kilometre, creating a pinch-point in the Green Belt at a place where it is already interrupted by the wide tarmac ribbon of the M62 motorway. Also, the distance from the proposed boundary of the site to the housing on Bembridge Close is only 330m.
- All such projections need to be revisited in the light of the effects of the 2020 pandemic.
- The 'identified need for significant Green Belt release' has not been made or agreed
- There is no mention of the boundary to the south of the site. The current boundary along the motorway is more defensible as it is a borough and county boundary and had mature trees.
- 5.40 The requirements of the logistics sector need to be reviewed in the light of the 2020 pandemic.
- 5.67 The discussion surrounding B8 land that might be required for the Liverpool Port Project requires review in the light of the effects of the 2020 pandemic. Even before this uncertainty and likely economic contraction, the amount of land identified in addition to that already assessed was between 40 and 140 Ha 'across the City Region by 2037. This hardly suggests an urgent need for these 75 Ha of prime farmland and woodland Green Belt, even before the current crisis
- The claim is that some urban regeneration of St Helens would result from this investment into the area. There would be revenue to the council from this development, but little other benefit and this has to be weighed against the harm.
- Whilst a case has been made for the proposed Site development size, the remaining Units 2 to 4 currently have no basis and are therefore purely speculative. This additional request for three more enormous warehouses adds massively to the harm that would result from this proposal with very little to support the proposed need, given the large number of other sites in the region as a whole.
- 8.110 The occupier-led need does not directly lead to the need for this installation to be sited on Green Belt farmland and woodland – it just says that this is what would suit the business best.
- Again the CVA revenue would be unlikely to be split so that the majority came to St Helens. Perhaps these figures have been mixed up? It seems more likely that the £14m would apply to St Helens, with £37m to the rest of the wider NW region where over 90% of the people within half an hour live.
- Again the figures for the wider site also appear to exaggerate the proportion of worker and revenue that might accrue to St Helens, given that over 90% of the population within 30 minute's drive of the area do not live in St Helens.
- Under the current circumstances an 'incontrovertible' need for this land is not currently established. In addition, it makes no sense to say that the 'permanence' impact is MODERATE – the impact will be a permanent change.
- Rainhill Save Our Green Belt" (RSOGB) significant and substantial harm to the population and with all the increase to vehicular pollution, the damage to the boroughs green belt, living species, the lack of correct infra-structures

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- Omega 8 is another project that will know doubt not create the potential employment as originally quoted and promised. You may recall that the companies moving in to the other large units, in and around the Haydock area, have all quoted larger numbers of employment than actually have taken place.
- The evidence given along with this application is so weak and unproven. RSOGB are all keen for the Government's and Council's regeneration ambitions, but developers must direct new investment at the brownfield land/sites already available. These sites exist in an abundance within the borough of St Helens. In addition these projects need to guarantee full time employment of local people and the use of local contractors on the construction.
- The SHGBA Planning Consultant, Kirkwells, challenged the LPSD Employment Land Need estimating it to be of the order of 93.1 hectares[2]. Moreover, the Planning Consultant, Peter Black of Black Fryers, employed jointly by Culcheth & Glazebury and Croft Parish Councils estimated the Employment Land Need to be overestimated by 329% at 69.1 Hectares concluding that the Councils figures are just not credible.

#### 4.3 Transport

- An extant permission must be treated as 'committed development' in assessing traffic impacts, in this case including the circa 59,500 sqm B1a office use within the Warrington Scheme site under permission 2017/30371. The Warrington Scheme is a material consideration in determining the acceptability of the St Helens Scheme because, as it proposes and requires the "revocation" of the permission; see EIA Appendix 1.1 Scoping Report ¶2.3.1. It is the applicant's argument that by offering to remove the B1a permission it will reduce traffic movements across the wider Omega site and the M62 junction, and so doing allow the Green Belt parcel to be developed. This can only be achieved through a Section 106 planning obligation that will (i) be attached to the B1a land, and (ii) be signed by the owner of the developer of the B1a land. To be able to enter into such an agreement the provisions of Regulation 122 CIL Regulations 2010 must be satisfied. Specifically, it must be necessary to make the St Helens Scheme acceptable in planning terms.
- Warrington West station is now operational but is not within sensible walking distance of this site.
- The point is that the additional traffic is not wanted in this area that is already highly congested and suffering from diesel fume pollution – both problems blight the people of West Warrington. There can be no denial that extra traffic from this proposed development would add to the problems.
- The existing concrete footbridge across the M62 is unsuitable – it has numerous steps – and if this route were to be used by workers, it would require lighting
- During/around Monday 17th February 2020 Councillor Bond commented during an interview that the "East Lancashire Road - A5080" would not be fit for purpose, if it is at present, especially with the new forthcoming "Super Port" and additional new port in Liverpool.
- Growth on this scale will be accompanied by huge growth in HGV and vehicular traffic. The proposals are car dependent and the highway infrastructure across and beyond the region will be overwhelmed. The M6 J23 -J25 has recently been upgraded to a smart motorway but Highways England have acknowledged that these improvements have done little to improve flow - decreasing slightly at peak periods but increasing in other periods of the day. The congestion issues at J23/A580 and M6/J26 and M6/M58 remain and can only become more intractable.
- Cause significant problems to Great Sankey, Burtonwood, Chapleford and Westbrook
- Assurance HGV won't use Omega Boulevard
- already congestion problems on this side of Warrington and this is a worsening situation as more houses continue to be completed in the Omega South area. There are also serious traffic problems in Warrington itself related to congestion, which will take a number of years to properly address. There are also daily congestion problems on the wider motorway network around this region. This proposed development would add yet more traffic to the congestion with thousands of extra lorry and car movements in the area each day. This seems to be a prime reason why this development is heavily opposed by residents on this side of Warrington.
- Poor public transport links
- Increased volume of cars using same junction for employees and HGVs and other road users

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- There are huge number of HGVs and they are parking in the nearby roads, on my way to work I passed two on Lingley Green Ave this week. there is in an increase in litter and anti-social behaviour, I cannot not see how further development would make this less
- Road already struggling with four new housing estates and warehouse units and not design for all of this.
- will cause an immense amount of extra traffic when the area already struggles with current levels. Any extra traffic on Gorsey Lane would be highly inappropriate. Mill Lane already is congested with HGVs trying to climb the hill and driving in the middle of the road because of parked cars on both sides of the road and the huge increase in traffic at school start/end times. Burtonwood is not a suitable direction for the extra traffic to head in either because of the weight limit imposed.
- Increased traffic of HGVs through Bold area unacceptable and undesirable in a residential area.
- Look at building infrastructure which goes onto Junction 7.
- Increased traffic using Rainhill Stoops is already at capacity.
- We have lived in Burtonwood for 46years having moved from St Helens, my husband from Eccleston myself from Parr. In this period of time the volume of traffic using Burtonwood (many lanes and roads being originally cart tracks) is so bad at times of rush hour or accident on the motorway all coming through Burtonwood creating a rat run, which will be even worse should this development go ahead.
- increased traffic from the proposed works will add to road congestion to the local area, increased pollution, and increased wear to our local roads and motorways - the motorways local to this area are in a shocking state - pot holes on the motorway - this development will only add to the problem.
- However, this omits the possibility that some of the proposed B2/B8 floorspace of the St Helens Scheme could be disaggregated into the Warrington employment allocation. Unless this point is addressed, which it is not, there is no prospect that an obligation can be argued as necessary.
- It is Warrington Council's position in its emerging plan that there is an unmet employment need, expressed through the Duty to Cooperate to provide circa 31 ha of employment land within the emerging St Helens Local Plan. Yet, it appears from the two applications schemes that there is an amount of employment land available within the existing Omega allocation, i.e. the B1a land. As this land is allocated for employment purposes should the B1a office development not proceed then the first alternative use should not be housing but other forms of employment use, i.e. B2 or B8 use. As commented on elsewhere this matter also undermines the site sequential assessment for alternative sites and the matter of disaggregation that is considered deficient in the EIA. What the above points underscore is the fact that two applications are inextricably linked and must be determined together.
- In Warrington there is already increased traffic from the current Omega greatly impacting on the ability to leave the area via roads. Every 6-12 months there are roadworks and developments blocking the surrounding roads. It regularly takes 10 mins to do a 3-mile journey to get to Junction 8 M62.
- Increase traffics, already HGVs using Gorsey Lane despite a ban through Burtonwood.
- Omega already affects highways in Burtonwood
- No provision for St Helens to build a road to and from the development.
- Schools and nursery by the site with children using the route creating hazards.
- Traffic congestion within Omega especially J8 of the M62, Traffic through Omega will greatly increase
- Road networks in Warrington borough are already under strain.
- Local community should not face increased traffic due to this application
- Impact of increased traffic on local area and roads which are already under strain
- Further increase in amount of traffic in the area, including overburdened junction 8. The roads surrounding Omega south and residential areas have already seen a huge increase in passing traffic.
- Poor development plan does not take into account existing brownfield sites and empty warehouses around Merseyside.
- Can't take anymore HGVs and cars

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- Traffic in the vicinity of this proposed is already congested, the M62 Burtonwood junction already proving to be a nightmare at all times of day and night. Not to mention the noise and pollution
- Compound existing problems with infrastructure, additional traffic through existing routes impacting on traffic flow in residential areas already blighted by congestion and pollution.
- Increase congestion
- Clock Face has existing traffic problems, speeding cars and HGVs all hours day and night which this proposal exacerbates. Increase danger to pedestrians, cyclists etc.
- Creating more traffic and pollution at the new motorway junction and surrounding area.
- Over development of the area causing traffic congestion
- Omega already causes increased traffic on A49 Warrington road, increasing hazards when trying to enter and leave property and risk of an accident for people, joggers and cyclists.
- Increase in traffic Bold in last 6 years due to the Omega project making roads more dangerous.
- Poor rail and public transport links to the site. Workers will have to travel to the site by road.
- Number of HGVS operating from the site on roads which are already congested.
- More wagons through Collins Green
- The HGV's will take a shortcut through the residential area.
- Traffic Build up in Gorsey Lane
- Junction 8 can be like a carpark. Proved recently with an accident at 3:30 with Warrington Road and Bold Heath.
- Junction 8 connection is a major problem, particularly with the lorries. Traffic will increase and levels of pollution
- Merseytravel have stated they are concerned that the intention to include at least 576 car parking spaces within the development site may cause traffic congestion around the area
- Already a substantial amount, this will increase flow of traffic, with additional HGVS.
- No road connection to St Helens so will be on present road system. Detrimental impact on cyclists, pedestrians and further raise hazards to the local community.
- Great Sankey is at breaking point. Driving from Omega to Burtonwood and Bold and its heavy traffic. North Warrington is becoming a car park.
- Increased traffic on A57
- Although in St Helens the impact will be felt predominantly in West Warrington and any traffic will hit them. Relying on transport links in Warrington of which the bus links are appalling.
- Traffic will increase on the M62 pushing traffic on the A57. Bold Heath is a very busy through village and it is difficult to exit from home when turning left towards St Helens
- increased traffic that this will inevitably bring to the area. Not only will it cause congestion and increase travel times into and out of the area, but the roads around here are already in very poor condition. We are constantly having to navigate potholes, which the council are very slow to fill in, and this will only get worse as the roads are used by more and more vehicles.
- Any extra traffic on Gorsey Lane would be highly inappropriate. Mill Lane is congested with HGV's trying to climb the hill and driving in the middle of the road because of parked cars. Burtonwood is not a suitable direction for the extra traffic to head in either because of the weight limit imposed.
- There are in excess of 500 parking spaces detailed in the application, hence when shifts change there will be an additional 500 vehicle movements on the local roads. This is not accounting for frequent HGV movements that will take place throughout the day. As has been seen with the current Omega area, all the vehicles will not go straight to the motorway as the developers would have you believe. My knowledge and that of others is that vehicles
- use all the local roads for their distribution networks. This large amount of extra traffic will also raise the risks to cyclists and pedestrians in the area and will further damage the roads that have already taken a battering from the recent increase in traffic. Recently one of the local roads has recorded its largest amount of traffic over 3 monitored days, in excess of 15000 vehicles.
- plans for the Omega west extension in the draft St Helens plan detail no road connections to St Helens, either direct or indirect. This means that all traffic will have to access the site through Great Sankey and its existing local infrastructure. That being the case, it also shows that there will be no public transport links to St Helens or any type of connection for cycling

and walking would be over a couple of miles, if any paths or tracks existed. This shows to my mind that this delivers no employment to St Helens as detailed in the application.

- In addition to the loss of green areas I would also like to object on the grounds of further increased traffic, particularly large vehicles. The area near to the proposed site has a substantial amount of new housing and business units which has already had a marked increase on the numbers of traffic on the local roads. There are two local schools nearby I would ask you to consider the effect of more traffic on the quality of air for those children who live nearby and are encouraged to walk home and the effect of even more traffic on their safety. I experience this firsthand when I do the school runs with my granddaughter four times a week. If we walk to school, we are already faced with a high volume of traffic to cope with and the pollution that brings but also if we drive we are faced with slow moving traffic as the roads struggle to cope the volume as it is. This has always been a residential area and it is already coping with a substantial increase in volume of traffic not just from new housing but cars from outside the area travelling to and from work at the industrial units already built. Those industrial units also have HGV and other large vehicles travelling to and from them and they do use the local roads.
- The application shows 500+ parking spaces, this would have a massive further impact on the surrounding roads, especially at starting, finishing and shift changing times. Residents use the surrounding roads to travel to and from work, school, shops, doctors, visiting surrounding villages and any further impact would be on local Great Sankey residents.
- Some 3800 new houses are proposed at Bold and Clockface a further 900 houses at Moss Nook are planned, and all the new houses now being built at Reginald road Sutton. All this plus huge warehouses are on the border of St. Helens and Warrington, but no plans for infrastructure to take traffic away from the village of Burtonwood. These plans will cause more traffic to the warehouses/ leisure facilities/ Gemini/ Ikea etc and motorway access passing through our village. Again no great problems for St Helens council. As it is we the villagers cannot get Warrington Borough Council to repair/ renew our roads , pavements , and drains etc , without the effects your plans will cause. All these plans proposed by St Helens council will have little or no impact on St Helens roads, as all these developments are on the boundaries of St Helens.  
7: The volume of traffic and pollution, plus the loss of 185 acres of greenbelt going under concrete created by these plans, and developments, will have little or no impact on St Helens road
- Damage to local roads and houses from heavy good vehicles
- With poor public transport links to the site workers would have to travel to the site by road and with the vast amount of HGV vehicles operating from the site the roads which are already overloaded would become a nightmare.
- significant concerns about the impact of traffic movements, increased environmental impact and congestion around the Omega site and J8 of the M62, I am led to believe that Warrington Borough Council has not been consulted. The additional vehicle movements, many of them HGV's, give me concern for road safety matters and the impact on two school and nearby residential areas.
- since the new buildings on omega have opened there is constant lorry and car traffic
- All the reports seem to minimise the impact on favour of the development and do not recognise the current amount of development and traffic.
- Junction 8 is extremely busy at certain times of each day and a hassle to cross. This proposal would add to this and St Helens council have no plan in place to access the M62 at Junction 7 which would prevent further congestion
- already seen a local student being knocked down by a vehicle close to the junction of omega boulevard and Lingley Green Avenue. We have also experienced HGV's parking up within the residential area.

#### 4.4 Landscape and Listed

- The development of four logistical warehouses over an area of 75.3 hectares, entirely within the Forest Park, will have huge negative impact on the Forest Park and many of the policies as set out in the Area Action Plan and therefore should be refused.

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- St Helens received £119.000 grant to plant trees.
- Booths wood used as buffer, should have its own buffer
- 95% of Booths wood done
- This 'green wedge' is situated right by the M62 at the far western end of the 75Ha. It therefore offers little relief or buffer for the farmland and countryside on the west and south sides of the proposed site.
- high-quality woodland containing several wildlife ponds. Duck Wood, which would be destroyed, gets its name from the wildfowl ponds within it – from which ducks can be heard calling on a summer's evening. This area forms the eastern part of Bold Forest Park, which includes the site of the ancient Bold Estate deer park. The whole area, including this 75 acres, is an important part of the recent extensive Area Action Plan (AAP) signed off only in 2017 by St Helens council that sets out to improve the environment in the area for wildlife, trees and leisure and recreation for the people of Bold, St Helens and the surrounding area. The high-quality woodland in the area where the warehouses are being placed will have to be destroyed despite the fact that they are protected by Tree Protection Orders (TPOs) that are meant to prevent this from happening. The proposed remedial action for this of planting new trees does not compensate for the loss of woodland that is over 200 years old. (The trees were originally planted when Bold New Hall was built in the 1740s to line the driveway from what is now the A57.)
- historically part of Bold Estate established in the 1300s and all the woodland was well established in the 1800s. Which can clearly be seen on maps dating back to 1840's. The land is clearly shown on maps that in the 1800s was part of the park land to Bold Hall, located near to this sight and the Listed gate pillars are still standing, also Bold New Hall which was also has historic interest.
- A second problem is that such mitigation measures take decades to become effective: Large number of tiny trees and modern landscaping against the backdrop of warehouses cannot replace existing high-quality woodland and ponds that are set in countryside and farmland.
- To place such a building as that proposed for Site 1 in a flat semi-rural location shows a blatant disregard for the effects on the landscape and population for miles around
- As your own council Tree Officer Mike Roberts has in clear precise detail in his extensive objection pointed out this area of woodland should not be allowed to be destroyed. It is of major importance to the area with significant importance. The tree density and the environment it creates provides a natural screening to the already vast. Omega South development and this area allows wildlife to thrive and do well. This greenbelt land is really the last area of established woodland before the vast Omega / Westbrook development
- How can the council allow 18 acres of mature established woodland and hedgerows be destroyed which provides green corridors for a vast amount of wildlife in the area? The woodland must be a major contributor to helping environment.
- The Green Belt area that would be destroyed to site these three extra warehouses involves significant additional harm to the existing Bold Forest Park woodland area over and above that needed for Site 1, including several areas of high-quality woodland that is protected by TPOs (Tree Protection Orders). The three proposed warehouses as proposed would also be very visible in Bold Forest Park from both the west and south.
- Significant natural landscape would be lost to buildings and hardstanding never to be recovered. In addition, it takes decades for replacement trees to grow and any number of tiny trees can in no way replace existing high-quality woodland. The idea of seeing these mature trees being cut down en masse is heart-breaking. The idea that these massive buildings 30m to 40m in height might be screened from the surrounding countryside is impractical.
- St Helens Council itself has very recently committed to planting 300 trees as a way of helping the environment.
- Totally against the loss of further heritage land to industrial usage:
- support the plans outlined in the document BOLD FOREST ACTION PLAN(2017) which preserves the woodland and surrounding and earmarks the area for conservation and recreational use which is very much needed!!
- I can only presume that the money the council has spent on the creation of Bold Forest Park action plan has now been totally wasted!

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- The proposed site of the 3 yellow warehouses, more than half of which is outside the allocated area 1EA, would result in the loss of approximately 8.25 acres of 200-year-old plus woodland & an extensive network of hedgerows & ditches.
- The triangle shaped parcel of land on the west of the site, area approximately 16 acres, is described as a “potential landscape / boundary mitigation buffer”, but I fail to see how this area can be considered as mitigation for approximately 13 acres of mature woodland that would be destroyed, let alone the rest of the fields that would be lost. Booths Wood (a local wildlife site) seems to have become the buffer rather than having a buffer protecting it.
- huge impact on the landscape, and character of Bold Forest Park. Destroying ancient woodland and taking away public footpaths. The loss of woodland, farmland (some being prime farming land), hedges and ditches will have a huge impact on the wildlife around that area and also have a detrimental effect on the air quality in this area.
- remove and destroy our national heritage in terms of woodland that dates back in excess of 300 years, destroy natural habitats and totally obliterate the greenbelt land that surrounds Bold Parish that would be a travesty
- work out the maths of how many trees you will be destroying compared to the 300 saplings you intend to plant!
- Bold Forest Action Plan was devised and adopted by St Helen's Council in 2017 at a cost to taxpayers of £140,000
- Contrary to Bold Forest Park context.
- The proposal will compromise the success of the Bold forest Area Action plan that at a cost in excess of £140,000 was designed to bring economic growth and prosperity to the area by way of recreation and tourism
- 9. The proposed plan covers an area that has been earmarked for a section of the new Bridal Way network which will impact on the development of the equine economy.
- The Omega 8 Planning Application can in no way be considered to protect and enhance the natural environment of the Forest Park. The implications of this development will have a severe impact on the visual amenity and biodiversity within the Forest park and therefore the success of the sustainable development of the Forest Park. The development will also jeopardise the recognition as a Landscape Asset and therefore any potential funding associated with the regeneration initiative.
- Over many years the area has seen significant regeneration and reclamation of once industrial landscape. This has been the foundation of the Forest Park and the one key contributing factor to its success and visitor attractiveness. A return to a heavily industrialised landscape will reverse this success and cause the Bold Forest Park Area Action Plan to fail.
- An off-road bridleway is a clear priority for the Forest Park. A significant section of new proposed bridleway cuts through the middle of the area covered by the Omega 8 application. Allowing the planning application for Omega 8 and therefore preventing the development of the bridleway network, does not positively enhance the beneficial use of the Greenbelt. It also negatively impacts on the sustainable development of the Forest Park, and therefore should be refused under the terms of the Area Action Plan. Policy BFP1: A Sustainable Forest Park
- The proposed Omega 8 development does not fully contribute to the parks aims and objectives. 4 significantly sized logistics warehouses will not be fully integrated within the landscape, sticking out like a scar within the surrounding farmland.
- The community is a key stakeholder in the forest park. It is essential Community groups and individuals have a voice in the development and management of the forest park. There is overwhelming objection to this planning application within the local community.
- Urban fringe farming with reclaimed spoil heaps is the landscape character of the Forest Park. For any successful outdoor leisure attraction, a high-quality environment is essential, including a strong sense of place and local character.
- A St Helens Landscape Character Assessment<sup>10</sup> identified the area as being of fairly robust character with the ability to accommodate some small-scale development. 75.3 hectares of development for logistical warehousing cannot be described as small-scale development.
- Destruction of 100-year-old woodland
- Prevents the Bold Forest Area Action Plan
- The current parish of Bold will lose lots of ancient woodland and be in close proximity to historically valuable woodland and several listed historic buildings including Moat House Farm.

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- goes against the Council's own Bold Forest initiative to develop land for outdoor pursuits and tourism. In today's fast living pace, high emissions people need somewhere to relax and relieve tensions.
- This area of landforms part of Bold Forest Park AAP which was adopted in 2017. This area is historically part of Bold Estate established in the 1300s and all the woodland was well established in the 1800s.
- This development would put the stated aims of the AAP into reverse, having a permanent negative effect that jeopardises the future work of the AAP. The current Green Belt tree-lined county and borough boundary provides a good barrier to the existing Omega South development for the Bold Forest Park area. Once this is breached, the whole of Bold Forest Park will suffer the all the negative effects inherent in the proposed development.
- beautiful park and surrounding green fields, it is a welcome escape into nature. I especially loved to go on nature trails with my friends and family spotting the wildflowers and wide variety of creatures that live in the area. It would be a great loss to sacrifice a massive area of this greenbelt to building a warehouse which will be of no benefit to local residents and serve only to add to the noise, traffic and light pollution the area is already beginning to suffer from.
- Destruction of hundreds of well-established trees, planting a few saplings after construction is laughable.
- Loss of long-standing established woodland
- Impact on landscape and Bold Forest Park, an eyesore
- Ancient pond and historic woodland should be defended for future generations
- Loss of bridleway and public footpaths
- Loss of ancient woodland is not environmentally sound
- Few landscaped saplings cannot compensate ancient trees and hedgerow
- In the age of climate change, we need more trees not cutting down existing well established woodland.
- Loss of heritage site
- Huge loss of woodland and hedgerows.
- Removal of established woodland that reduces flood risk
- TPO trees will be lost
- The Government Climate Advisors have said that almost three billion trees must be planted by 2050. A fifth of farmland must be turned into forest, peatland or used for biomass crops and 200,000 miles of hedgerows will need to be grown to end Britain's contribution to global warming.
- BFPAP says 30% more trees needed in the South and 20% in the NORTH
- The BNG is inadequate and does not meet the guidance set by the government of 10%
- Quality farmland will be removed along with shrubbery.
- Green areas around Sankey Valley have steadily been eroded till there is barely anything left.
- Council celebrated receiving trees from the Woodland Trust. Why celebrate this when then a large number of trees are being removed.
- use the footpath that runs through this land and know many others who do as well, whether it be for walking dogs or just to enjoy a walk in the (currently) very pleasant surroundings. It will be a real shame to lose access to this land.
- in the midst of a climate emergency, and surely, we need to be increasing our green spaces, not decreasing them? The grass, trees and hedgerows that you are proposing to replace with warehouses play an important role in absorbing carbon from the atmosphere. They also help to promote biodiversity - again, something we need to encourage.
- Residents use this area for walking, cycling and horse riding and is important to residents with health conditions.
- Bold Forest plan promised to increase and improve recreational areas, yet this plan will decimate it, negatively effecting visitor levels to Bold due to proximity of this site to wildlife sites and woodland. Covers an area planned for a new section of bridleway.
- The area of land is currently good quality farmland and farmed to this date. The land also contains many mature trees, a good number of which have tree preservation orders on them. The land in question forms part of the former Bold estate which St Helens have previously designated with protected status for use by residents in their leisure time and there is significant heritage in this land. There are a number of streams within the area, at times of

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heavy rains these streams are running full and with the large run off here direct into these streams it is highly likely these will go into flood.

- The Green Belt land in question is part of Bold Park. This park was part of the gardens and estate of the historic Bold family. The history of this site dates back around 800 years. The park itself is clearly labelled on maps dating back hundreds of years. For example, the park is identified on Yates' map of Lancashire from 1786. In addition, I'm extremely concerned at the loss of ancient woods located on the site. The woods are clearly featured in Bold Park on Greenwood's map of 1818. The woods are much older but, older maps don't contain the detail in the 19th century maps. Given the history of the site, the woods could date back 800 years. These old woods contain an irreplaceable ecosystem. The woods and land provide a habitat for numerous animals including rare breeds such the lapwing which is seen in the early summer every year. In addition, the woods provide a habitat for bats, that again can be seen throughout summer evenings.
- The parkland is equivalent to large parks like Tatton park with equivalent history and I believe that the Bold Park offers much more to the people of St Helens as a park and woodland than destroyed to make way for warehouses. Tatton Park brings in a huge number of visitors and Bold Park could do the same. Knutsford is a hugely vibrant and popular town with significant investment brought in by the visitors to Tatton Park. The Bold Forest area action plan clearly recognised the potential but, this will be lost if this planning application goes ahead. An application that will result in a reduction in the health and well-being of the people of Bold, Clock Face and St Helens.
- I Have witnessed the loss of local green and open areas and the loss of wildlife and their habitats. This loss has been substantial, and I feel that if we lose further local green and open spaces my own grandchildren and other local families will be denied the benefits these spaces provide. At a time when the importance of mental health is continuously being promoted, to remove those open views would be damaging to so many. At present there is an uninterrupted view where, people can see the wildlife including rabbits, pheasants, herons and farm animals and the benefits of this should not be ignored. The walks around these fields are well used by children, cyclist, dog walkers and residents and I can vouch that they have been for the 23years I have resided here. I understand that the land was part of the former Bold estate which St Helens had designated with protected status for use by residents in their leisure time.
- There are well established mature trees, copses and hedgerows which not only provide wonderful views and natural habitats for wildlife but natural buffers from the sound of traffic from the nearby M62.
- ancient woodland and must be protected at all costs. Building this development will send the wrong message in our bid to tackle climate change especially given the fact it is on green belt land - we must be growing trees to tackle climate change - not cutting them down to make way for a development and thus adding to our carbon footprint.  
Building on green built land will sadden me, but not just me, the thousands of people who live in the area who like to visit the green open spaces around this area. Building on green belt land is protected by law and should remain that way for all to share, not just for us, but for our future generations to come
- The Bold Forest Plan was promised to residents in recent years, with a pledge to INCREASE and improve recreational areas yet this plan and more broadly the St Helens Local Plan for thousands of houses will decimate it the plan, negatively affecting visitor levels to Bold Forest Park due to the proximity of this development to local wildlife sites and historical woodland. The development also covers an area that had been planned for a section of new bridleway network. The Equine Economy was declared a 'significant and unique' opportunity by St Helens Council in the Bold Forest Area Action Plan.
- just this week more hedging and tress have been dug up and at my last count there were more than 25 dead trees on the 'developed' land. i have read the plans to 'green'
- diggers and industrial hedging cutters move in and destroy any remaining part of green land and replace it with twigs for tress and , poor landscape planting, no bins, no respect for the incumbent community and nature.
- the hedging and tress at the end of the road that would link to the land have been removed and there is already a blue post submerged in concrete on the identified land.
- Saplings inefficient to screen the development

#### 4.5 Noise

- Noise pollution as near to new houses in Omega
- Noise impact to south lodge Warrington road
- Increase in noise pollution
- the land after development and even the 2m baffle to reduce the noise of the chilled and ambient centre would impact the environment.
- the air pollution has increased, and the noise is a constant loud 'swishing'. I cannot see how this will not be an impact to residents. indeed, in the documents it does state that this will be a significant impact to housing but only during developments???? a
- Back garden Kennels cottage traffic can be heard which was previously silent.

#### 4.6 Air and Health

- Air pollution as near to new houses in Omega
- So many diesel truck movements are planned night and day that there must be some contribution to an existing problem in the west of Warrington and Sutton areas where more than 60,000 people, including many young families, live?
- The primary cause is pollution from traffic, especially diesel fumes. This development would add further to this. Although calculations are presented that suggest a negligible contribution to risk from pollution that arises from this development, there must be a contribution in practice and given that pollution levels have been known under present circumstances to exceed legislative limits, any addition to pollution from this development can only raise this further. Given the proposed thousands of additional car and HGV movements each day, it is hard to believe that the effect of the fumes produced can only have a negligible local impact. This development will contribute to the production of carbon dioxide both during construction and operation, and from the destruction of mature woodland. The planting of trees to mitigate this may provide some compensation, but only in the very long term, should the trees survive to maturity and well beyond the time when climate change effects are predicted to become critical.
- Here is more overhead traffic from Liverpool airport than ever before that flies across this area every day and I can tell you when the flights arrive and depart, they are mainly easy jet and Ryan air. The area is used for a holding pattern when there are delays at the airport adding to the pollution. more pollution with development and more noise and more light pollution.
- The land has foot paths and bridle paths which are well used by walkers and riders, so people get out and about looking after their health. I count myself extremely lucky to live in such beautiful surroundings, these surroundings contribute to my own and many others wellbeing, by being able to walk out into countryside gives people a feeling of wellbeing, calmness and enjoyment all of which assist in reducing anxieties and depression. The land is somewhere to teach our children the beauty of nature, the fact it contributes to our wellbeing and needs to be taken care of and protected against threats such as developments not destroyed.
- Bold and Clock Face is greatly appreciated by the local community and when humanity has the huge and almost insurmountable challenge posed by climate change, turning a rural area into what will amount to an industrial zone will have a catastrophic effect on the people and nature of this part of St Helens.
- With over 4000 houses planned within 2-mile radius, this enormous land grab is a massively disproportionate penalty for local residents who need and love the open land for recreation and mental health benefits that studies clearly show natural areas provide. Residents use this area for walking with children and family, cycling and horse riding. It is also important to residents with health conditions as the pollution levels are currently lower due to the undeveloped nature of the open land.
- Massive increase in air pollution
- Natural areas are the lungs of villages such as Rainhill and Bold helping to protect them from the M62 and existing warehouses and HGV. They should be preserved.
- St Helens has already had unacceptable levels of air pollution and associated illness and death counts as a result.
- Kill the lungs of the world
- Destroying Green Belt at times of climate emergency

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- poor air quality wildlife will lose their natural habitat, woodland will be lost. Our children and neighbouring communities will lose the benefit of the greenbelt around them which is there to stop urban sprawl.
- The proposed plan will create further pollution to the already poor air quality of Warrington mainly Burtonwood, Great Sankey and. Clockface.
- Loss of Green Belt and increase pollution will have detrimental effect on the health of locals
- Huge impact on local resident's health and wellbeing.
- Increase in pollution levels.
- This site along with Omega won't help St Helens meet its air quality targets, make it worse
- Levels in Burtonwood are already a problem and would get worse with the proposed development.
- Resident in Warrington asthma has got worse since Omega and this would make it worse.
- Pollution from HGV's goes against section 14 of the NPPF
- These buildings would increase the pollution in the area vastly. Carbon monoxide and carbon dioxide from diesel vehicles would show a significant increase and with three schools and a large residential population in close proximity it would likely affect the health of both the young developing children and the local residents. This does not match with the governments stated objectives on reducing carbon emissions in line with those of the international fraternity.
- public Health Implications - Bold Parish is situated in the south of St. Helens and extends southwards beyond the M62 motorway. Proximity to the motorway and being located on the borders of neighbouring towns (Warrington and Widnes), ultimately results in high levels of traffic and high levels of pollution/poor air quality. To add a distribution warehouse to a high transport area will only add to the pollution levels within the local area and will ultimately impact upon the health of residents. To destroy 18 acres of established woodland (some 300 years old) that mitigates against pollution levels when air quality is already an issue should not be allowed to take place.

#### 4.7 Light

- Detrimental effect of light pollution
- this proposed Green Belt site has had a stretch of 50m of mature trees torn down and now three bright white streetlights shine out over this Green Belt area every night. Light pollution of this type affects wildlife like the bats and other nocturnal animals in the area and this is just the very start of the wider harm that would follow if this development were allowed to proceed. This apparent lack of appreciation of the effect of the built environment on the countryside makes it hard to believe any claims in the submission that the effects of such a development will be mitigated. For example, hundreds of bright lights will be needed. Can they in practice be so designed as to effectively contain their light within the boundary of the development and so prevent extensive light pollution in the area? Is there even a will to try to do this?
- Light pollution from Omega already visible in night sky, impacting nocturnal wildlife and
- Noise and light pollution creating depressions and ill health
- Also, at a time when the government is trying to limit light pollution, this will add to that of the existing Omega development but will mean that a currently dark area will now suffer from artificial lighting.
- Massive increase in light pollution
- this will disrupt right of way and the light pollution will increase

#### 4.8 Drainage

- Changes in weather and global warming means the area should remain Green Belt o assist with land drainage
- Great concern how this proposed development will affect the surrounding lands drainage capabilities. The possibility of basically concreting over nearly 200 acres of land seriously worries me. There is a major watercourse that runs alongside and then through this area. Providing an excellent area for wildlife as well as moving vast volumes of water from the surrounding land drains. As demonstrated this year with the high rainfall amounts the land in the area is struggling to cope and the watercourse is struggling to help keep the land drained. As the watercourse fill up to near capacity, this stops land further back along the system draining. I have suffered significant problems this year due to the watercourse struggling to

keep the water moving. I am therefore worried that in the future all the water of this site if developed with cause my and/business further problems. The movement of the watercourse and all the added free flowing surface water will only add to the problems.

- The site would result in around 150 acres of land been hard surfaced, I dread to think of the increase in flooding this will lead to, not only on the food producing surrounding farmland, but also around the Sankey catchment area.
- this land is flood plain and i cannot see how further development will aid the flow of the increasingly wet winters, the land is wet and that the reason there is so many ponds on the vicinity. the land is currently farmed, and this means that although some farming does contribute to global warming ,
- Relocation of natural watercourse
- Local area is struggling with land drainage at present with local routes becoming impassable by local residents.
- deep artificial attenuation ponds to artificially control the additional water run-off resulting from the proposed addition of many hectares of buildings and hard standing. This would remove the natural ability of the land to soak up rain and release it gradually. The existing local streams and ditches form an important part of the natural landscape that are necessary to a wide range of wildlife in the area, including amphibians and fish.
- Local community should not face increased flooding due to this application.
- Implications for drainage
- Land prone to flooding and so building on it will increase flooding.
- Increased risk of flooding
- Area is full of water and more that is built on less chance it has to soak away
- Omega already floods and evidenced during recent rain as does Gorsey Lane and Burtonwood. Removing natural drainage and an ancient pond, how will the land cope?
- In an age of climate change and impact on environment how is this a good idea?
- nearby fields also currently play a role in absorbing water when it rains heavily. In spite of this the roads are regularly flooded. To my knowledge, there is no plan to improve drainage in the roads if this goes ahead, so I assume this will only get worse.

#### 4.9 Ecology

- There are 11 Local Wildlife sites across the area. With one, Booths Wood running adjacent to the proposed development. Safeguarding and improving these are key priorities with the Forest Park. 4 logistics warehouses and the associated increase in air pollution, noise pollution surface contaminates will have a huge detrimental impact on this key local wildlife site.
- This woodland is a prime environment for wildlife including barn owls, tawny owls, bats, brown hares, toads, frogs, newts & insects.
- water fowl that fly in and out of the ponds in Duck Wood and the other ponds in the area – not least swans, geese and mallards. I have also seen barn owls and other birds of prey such as falcons, kestrels and sparrow hawks flying over the fields. There must be numerous smaller species living the area that are not visible at a distance but provide prey for these beautiful visitors. All this would be lost from the area if it is covered over by warehouses, HGV parks and car parks and the clutter of a modern industrial landscape.
- The Government has set guidance of net gain for Biodiversity at +10% in order to achieve its Environmental Plan over the next 25 years. Personally, I do not consider +10% to be anything like adequate. Cutting down mature woodland which is the habitat of many endangered species locally such as Bats, Water Voles, Great Crested Newts, Barn Owls, Brown Hares, 17 species of Dragonflies, Corn Bunting, Skylark, Lapwing, Yellow Hammer along with various Birds Of Prey like Kestrels, cannot possibly be considered appropriate.
- wildlife local to the area that need to be preserved including newts, bats & local bird populations including bird of prey - where will they go if we continue to build on green belt land? We also need to look after the habitats for these wild animals i.e. the shrub, trees & hedgerows again where will our wildlife go?
- Damage on wildlife and the eco-system has not been taken into consideration.
- Major damage to local wildlife and eco-systems including habitats destroyed, loss of wildlife and creatures and farmland.

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- Massive impact on habitat and environment of the local area, loss of hedgerows and ditches where animals, insects and birds live would be destroyed.
- Destroy valuable habitat for many locally endangered species.
- Damage to wildlife
- Pushed off airfield base and now into this site and then move again
- Detrimental to local environment, ecological works will be post land work and do not preserve local wildlife.
- Loss of habitat to the local wildlife
- Seeks to re-populate areas after clearance of local flora, decimating associate fauna. Negative impact on biodiversity and will take years to re-establish.
- Loss of protected species
- Wildlife habitats will be destroyed
- Further reduction in green space for wildlife
- Re-routing of river destroying habitat
- We have a small boarding kennels business on Hall Lane and use the surrounding nature reserves for walks for our guests taking in the wonderful sights of rare birds, squirrels, pheasants, foxes, rabbits and so forth
- No balance between industry and wildlife
- Destroys wildlife's natural habitat
- Endangers brown hares seen on a daily basis and barn owls through light pollution and removal of food source
- Bats reside among lands habitats and surrounding outbuildings. Also, grey squirrels and various species of birds nest. Can a comprehensive tree survey to assess tree and likely disturbance on wildlife be provided?
- Concerned with tree felling that has happened in the past.
- Loss of local wildlife and habitat have seen barn owls, bats, brown hares, Great Crested Newts, Dragonflies, water voles, birds of prey, skylarks and nesting lapwings.
- Habitat loss effecting wildlife
- Wildlife already impacted by OMEGA, destroy valuable hunting ground for endangered bats and owls
- Contains wildlife ejected from RAF site.
- Expansion – I have noticed on the bird survey they have looked at a larger area. Does this mean that it is likely that this development could come all the way over to the A57 at some point?
- Force wildlife away from the area will impact the environment as well as local farms
- Loss of woodland which is home to species including barn owls, great crested newts and yellow hammer.
- Little regard for animals and animals that class this as their home. Destroying and ruining habitats that are adding more benefit than the proposed development.
- It has been suggested that there are protected species there it would be disgraceful for work to begun on there.
- number of endangered species in the area, including bats, barn owls and birds of prey.
- Cutting down woodland, which is home to Habitat to bats, water voles, GCN, barn owls, brown hares, 17 species of dragonflies, corn bunting, skylark, lapwing, yellow hammer and birds of prey such as kestrels is not appropriate.
- The land contains many different species of wildlife including many roosting bats and birds. The species of birds being both small vegetative and birds of prey. There are also many ground dwelling animals from water vovles and newts to rabbits, hares and foxes. A good amount of these animals have already been displaced from the current Omega development, indeed this was a statement made by Omega developers that displaced animals would find a home in this area of land. As such this land was signed off with an environmental improvement (AAP) in 2017.
- These are also home for roosting bats, birds of prey including owls and many bird species
- Impact upon wildlife - to remove greenbelt land/established woodland will undoubtedly impact upon local wildlife and biodiversity.
- Brown Hares, Barn Owls, 4 Species of Bats, Great Crested Newts, Water Voles, 17 Species of Dragonflies, Skylark, Lapwing, Corn Bunting, Yellow Hammer, An array of Birds of Prey.

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- There are species that have been identified that red listed and i am sure this was not a comprehensive piece of work as there was no mention of the kingfisher or foxes, the pied wagtail and the number of nesting s birds that visit my garden and live in the woods. i note that not mention was made of the amphibious wildlife of the many connecting ponds?
- Sadly it would seem that building soulless boxes is deemed more profitable than protecting an area of such importance of whom St Helens Council should be guardians of, I don't believe for one moment that any special circumstances should be able to overrule the national guidelines for building on the greenbelt. We need our green spaces more than ever in these troublesome times being able to get out and enjoy nature free from the increased traffic, noise, light pollution and litter this development will bring along with it.
- Below is a photograph taken during the summer down Hall Lane of a Great Crested Newt enjoying the sun he needs us to stand up and defend his habitat that includes St Helens Councillors!
- This proposal will do away with 18 acres of ancient woodland and 185 acres of grade 2 farmland. The proposed planting of saplings will take decades before they are a fraction of the benefits of the woodland that is to be taken away.

#### 4.10 Design

- Visual impact to south lodge Warrington road and locals, will encourage people to leave
- Dominate the landscape due to the height.
- the height of a 14-storey building
- At night there are no lights visible, apart from the light pollution from Omega South above the trees and the three new street lights along the new road put in on Omega South Warrington side leading to this proposed site that has already been built ready for when they get the green light on this project, should this happen
- the tree-lined boundary running north to south is currently an effective boundary that shields this area from the existing warehouses on Omega South.
- The scale of this proposal is outside that of the current Omega South development. The proposed building is twice as high and would run for 0.5km along the M62, which is already built up all the way from north Birchwood 6 miles to the west.
- Will the scale and location of the proposed building Unit 1 not throw the M62 motorway into shadow for a length of half a kilometre for a significant period of the year? With the height being the equivalent of a fourteen-storey office block there is no potential for screening? Is there anywhere else in the country where there is a building of this size so close to a motorway?
- these photographs do not show what the buildings would look like in reality because in practice we automatically scale up features by at least a factor of two over what is seen on a photograph.
- The enormous scale of this building would mean that it will not fit in with the existing Omega site but be a massive addition tacked on the end of it, further extending this built-up area along the M62 close to where the St Helens conurbation starts
- The gap would be reduced between Omega South and Clockface from its current 2km to less than 1500m. At the proposed height, the buildings will be clearly visible for miles.
- Monstrous building
- The existing belt of mature trees that sits on the Warrington side of the county and borough boundary are effective in hiding the warehouses of Omega South from the Bold Forest Park.
- this does not apply to the proposed Site 1 warehouse because there are no more continuous lines of mature trees to the west or south on the St Helens side. In addition, the warehouse's current proposed height is twice that of any local mature woodland. Any building beyond this county and borough boundary would affect the current Green Belt countryside from the lack of a screen to the north – along the M62 – and to west and south and would result in no proper boundary to define the Green Belt. The distance between the edge of the existing Omega South warehouses on the Warrington side and Clockface on the north side of the M62 is currently about 1.5 km, so less than 1 mile. If this proposed Site 1 warehouse is built it would reduce this to about 1 km, which would seem to all but bridge the green space, bringing the conurbations of Warrington and St Helens together.
- The size and height of the Site 1 warehouse is excessive at half a kilometre long and 29 to 41m tall. This means that, far from fitting in, it is out of scale with the existing Omega South

development. The Site 1 building would tower above any other warehouse in the UK and would be one of the largest buildings by volume in the world. Placing a building with the height of a 12-storey office block in the flat landscape around St Helens would provide an obstruction on a scale previously seen in very few places worldwide. This is, therefore, of serious concern. There is the potential to blight the whole landscape for miles around and for decades to come with this one building. There is no indication within the application that this extreme height is necessary or that alternatives have been considered and rejected, though if this has been requested, presumably this is a serious request and nothing less with do? However, no other existing warehouse of any type has this height. People in the area need to be made aware of what is being proposed in this application – the mere quoting of a number – 41m – does not put the exceptional nature of this request into perspective. This building would be a major landmark, and for all the wrong reasons, as screening (e.g. from the M62) on this scale is not feasible. The remaining countryside in every direction would be affected by the presence of this building with it dominating even the highest established forested areas. One of the key requirements of Green Belt provision is to maintain a clear gap between conurbations and stop them running together. Any development on this land allowing Warrington to expand across the boundary onto St Helens land, would narrow the gap to 1km between the Site 1 warehouse and Clockface. Given the extreme height of the proposed Site 1 warehouse, this will all but close the existing visual break.

- The size & scale of the proposed warehouse is immense, at around 500m by 200m wide, this will cover an area of 24.7 acres & rise to a height of around 40m (130ft), almost twice the height of the tallest trees in Booths Wood.
- Another blot on the landscape
- the buildings will be huge and dominate an already industrialised landscape at a height up to 29 m.
- Park lost in the shadow of a depressing buildings.
- Can't be made to fit into the landscape, one at Ashton can be seen from Collins Green
- On computer generated images on the planning application for the detailed warehouse the overall scale is completely overwhelming. It will be a serious visual impact from the public foot path (part of Bold Forest Park) From my property I will clearly see the top of the warehouse over the woodland, this in itself is outrageous. If this application gets passed, the outlying part of the application on the due south part of the plan destroys woodland that now acts as a screen from the existing Omega/ Lingley Mere site. The proposal shows no real way in which these developments will be hidden. It's very well to say trees will be planted but these will take hundreds of years to come into effect when as the area stands there are established trees providing a perfect screen from the existing Omega site, and as the Tree Officer comments on his objection letter, there doesn't seem to be a plan to plant 2 for 1 in the development.
- The detailed plan for this development does not use this area of land to the best usage. If this area of land (which in the Local Plan is proposed to be removed from Greenbelt) the detailed proposed warehouse was to be orientated by 90 degrees no further Greenbelt would need to be used and the completed development would fit I'm sure on the proposed 1EA site. As the plan stands there seems to be an area of land that has no
- proposed building on as yet. Why?
- Dominate the skyline
- warehouses will be visible from some distance away - detracting from the view that we have enjoyed for many years.
- There is one site in particular that is of a height (some 40m) that is inconsistent with anything else in the area, as such it would dominate the skyline from all directions as the surrounding land is very much of a low-lying nature. Furthermore, the Asda warehouse on the current Omega site was initially of a similar height but lowered after significant local objections. That building, although seen from around the area is covered by other buildings. This proposed building will not be and will be a slab-sided eyesore.
- The application is for a large and high logistics shed which would sit way above the natural habitat and so out of keeping with the surrounding farmland and residential areas.
- This is one shed of a few and is of a height (some 40m) that is inconsistent with anything else in the area, as such it would dominate the skyline from three directions as the surrounding land is very much of a low-lying nature.
- This proposed building will not be and will be a slab-sided eyesore

#### 4.11 Public Consultation

- Neither application has been subject to any pre-application public consultation. Both applications state that public consultation could not have taken place due to the landowner, Homes England, being an agent of Government and as such covered by purdah during the recent December general election. It is rather doubted this was the case. The applications were submitted following the election date and there was no reason consultation could not have been undertaken in January with submission in February. St Helens Statement of Community Involvement ('SCI') expects developers promoting major development to have undertaken consultation through letters to surrounding residents, consult Parish Council, consult ward Councillors, erect site notice and hold an exhibition. The Warrington SCI suggests the development is 'Tier 3' (ignoring the cross-boundary implications for now) and so an exhibition is not necessarily needed, but it would expect the developer to agree a package of consultation. It is strange to have no consultation on two applications that are inextricably linked, involve cross boundary matters of employment land need, impinge upon the Duty to Cooperate and require both authorities, should a recommendation to approve be given, to do so contrary to adopted development policies on the spatial use of land. A more cynical person might suggest the timing of submission was a marriage of convenience. But of course, there is still ample time to undertake public consultation during the application stage.
- there is no community involvement and the sites developed and the plans for the new ones do not in any way make the area better for locals.
- There seems to have been no consultation with the local population concerning the scale of these proposals. Development of Omega South on the Warrington side has proceeded extremely rapidly and is still in progress with the result that the effects of this rapid expansion have not yet been felt, let alone absorbed, by those living the area. Given the extreme size of the proposed additional warehouses under consideration, a period of prior consultation that gave time for the local population to digest the likely impact during the development of this proposal and included a discussion of any possible alternatives, mitigation, remedial measures, room for manoeuvre, or offer of benefit or compensation for the local community might have been expected as part of embracing good practice in such circumstances? This further massive development seems to be being proposed on the back development on the Warrington side, without there being time for the effects of the current developments to be taken on board.
- When asked 17<sup>th</sup> Feb 2020 the leader of WBC said to early to make objections when the Deputy leader was in discussions,

#### 4.12 Not material

- Possibly the value of our home will be unbearable.

### 5. **SITE HISTORY**

5.1 None

### 6. **POLICY**

#### National Planning Policy Framework

- 6.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area. Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

- 6.2 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

## Development Plan

- 6.3 The adopted development plan for St Helens is the St Helens Local Plan Core Strategy (adopted 2012); saved policies in the St Helens Unitary Development Plan (adopted 1998); and the Joint Merseyside and Halton Waste Local Plan (adopted 2013).

### St Helens Local Plan Core Strategy (2012)

- CSS 1 - Overall Spatial Strategy
- CIN 1 - Meeting St. Helens' Infrastructure Needs
- CSD 1 - National Planning Policy Framework - Presumption in Favour of Sustainable Development
- CAS 3.1 – Newton and Earlestown Strategy
- CAS 3.2 – Development of a Strategic Rail Freight Interchange (SRFI)
- CP 1 - Ensuring Quality Development in St. Helens
- CP 2 -Creating an Accessible St. Helens
- CAS5- Rural St Helens
- CE 1 - A Strong and Sustainable Economy
- CQL 2 - Trees and Woodlands
- CQL 3 - Biodiversity and Geological Conservation
- CQL4 – Heritage and Landscape

### Saved Policies of the adopted St Helens Unitary Development Plan (1998)

- S 1 - Green Belt
- GEN12 – Lighting and Security Apparatus
- GB 1 - General Criteria for Development Control in the Green Belt
- GB 2 - General Criteria for Development Control in the Green Belt
- ENV 5 - Sites of Community Wildlife Interest and Local Nature Reserves
- ENV11 – Tree Surveys
- ENV12 – Development Affecting Trees
- ENV 13 - New Tree Planting on Development Sites
- ENV 23 – Archaeology
- ENV 25 – Listed Buildings
- ENV 26 - Contaminated Land
- ENV 30 - Drainage

### Waste Local Plan (2013)

- WM8 – Waste Prevention and Resource Management
- WM9 – Sustainable Waste Management Design and Layout of New Development

### Supplementary Planning Documents

- Local Economy
- Ensuring a Choice of Travel
- Biodiversity

### Area Action Plans

- Bold Forest Area Action Plan July 2017

### Local Plan Submission Draft

- 6.4 The Submission Draft of the St Helens Borough Local Plan 2020-2035 was published on 17<sup>th</sup> January 2019. The plan proposes to allocate 265 hectares of employment use up to 2035 with an additional 85.88 hectares of land safeguarded for employment use beyond the plan period. The Plan proposes to remove the area of the application site which lies in St Helens from the Green Belt and allocate the land on the west of the M6 as employment land appropriate for general industrial (B2) and storage or distribution (B8) uses; and land on the east of the M6 for an SRFI and B2/B8 employment uses that are rail served or would not prejudice the delivery of an SRFI.

Other Documents

6.5 The following documents form part of the Council's evidence base and will be discussed below:

- Economic Evidence Base Paper, Aecom, September 2015 (EEBP)
- Employment Land Needs Study, BE Group, October 2015 (ELNS)
- Draft Strategic Housing and Employment Land Market Assessment, GL Hearn, January 2017 (SHELMA)
- Addendum Report to the ELNS, BE Group, October 2017 – Amended January 2019 (ARELNS)
- Strategic Housing and Employment Land Market Assessment (SHELMA) 2018
- Liverpool City Region Assessment of the Supply of Large-Scale B8 sites (ASLCB8) June 2018
- Liverpool City Region Assessment of the Supply of Large-Scale B8 sites (ASLCB8) June 2018 and Addendum Sheet, November 2019

Other Considerations

- 6.6 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 6.7 This application has been considered in relation to Section 17 of The Crime and Disorder Act. The Police Crime Prevention Officer has been afforded the opportunity to comment on this scheme, but no comments have been received.
- 6.8 The application has been considered in accordance with the St Helens Council's Comprehensive Equality Policy, which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

**7. ASSESSMENT**

- 7.1 The application site relates to an area of land located to the west of Omega and south of the M62. The site is primarily greenfield land in the Green Belt. This application proposes a detailed application for a B8 logistics warehouse occupied by 'Home Bargains' and outline application B2/B8 warehouses accessed via Catalonia Way through Warrington.

Principle of the Development

- 7.2 Paragraph 14 of the NPPF states that there should be a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking this means (unless material considerations indicate otherwise) approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless specific policies in the NPPF indicate that development should be restricted, such as those relating to development in the Green Belt.
- 7.3 Paragraphs 196 and 197 state that the planning system is plan-led. The Act requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The presumption in favour of sustainable development should be applied. Sustainable development is defined with reference to paragraphs 18 to 219, taken as a whole (para 6). Paragraph 187 states that local planning authorities should look for solutions rather than problems and should seek to approve applications for sustainable development where possible.

Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

- 7.4 The application site lies within Green Belt and therefore saved policy GB1 in the Unitary Development Plan applies. It states that new buildings within the Green Belt will not be permitted, except in very special circumstances, unless it is for one of four identified purposes.
- 7.5 Paragraph 145 of the NPPF sets out the policy for assessing proposals that involve the erection of new buildings within the Green Belt. It states that a local planning authority should regard the construction of new buildings in the Green Belt as inappropriate development unless one of eight identified exceptions apply.
- 7.6 Paragraph 143 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that when considering any planning application local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, any other harm resulting from the proposal is clearly outweighed by other considerations.
- 7.7 Although there are some differences between the policies, they are broadly consistent and therefore significant weight should be given to save policy GB1 (applying NPPF paragraph 213).
- 7.8 The application site is also located in Bold Forest Park. Policy CAS5 (Rural St Helens) requires development outside of existing settlements to comply with Green Belt policy and sets out the aims and objectives of the Bold Forest Park. These include the creation of new economic opportunities through sustainable development.
- 7.9 This hybrid application proposes the erection of 205,500 square metres of employment floorspace in the Green Belt. It is inappropriate development as it does not meet any of the exceptions listed within paragraphs 145 and 146 of the NPPF or policy GB1 of the UDP. In accordance with NPPF paragraphs 143 and 144, given the application proposes inappropriate development, it is necessary to consider whether there are very special circumstances to justify granting planning permission for the proposed development.
- 7.10 This section of the report will assess the applicant's case of very special circumstances as set out in Section 2; it will then evaluate the harm caused to the Green Belt, any other harm, before coming to a conclusion whether the harm is clearly outweighed by other considerations.

#### Very Special Circumstances

- 7.11 The applicant's case of 'very special circumstances' is outlined in section 2 of this report. The applicant states that there is commercial market and policy support for significant economic growth and that St Helens Council recognises the need to plan positively for economic growth for the benefit of the Borough.
- 7.12 The applicant states that the evidence base for the emerging St Helens Borough Local Plan Submission Draft shows that the site is attractive to the market and deliverable. It would help to meet the need for employment development in both St Helens and Warrington.
- 7.13 Further, the applicant submits that i) there are no suitable or available other sites which can meet the need, including urban areas; and ii) that in order to meet the need identified by the Council's evidence base, it is necessary to consider sites in the Green Belt. The applicant also states there are significant economic, social and environmental benefits.

Whether there is policy support and a need for employment in St Helens and Warrington

The applicant's case

- 7.14 Since the adoption of the Core Strategy there has been a key change in the Liverpool City Region (LCR) with Superport and Liverpool2 identified as economic multipliers resulting in an increased need for employment land. The applicant argues that there is an established economic policy requirement and that the proposals are submitted in the context of a national, regional and local requirement.
- 7.15 In addition to policy, the applicant also argues that there are commercial marketing reports that demonstrate there is demand for grade A, large scale, speculative build to suit unit take up in the North West, and that there is a lack of available sites to meet the demand. They submit that Warrington's evidence base has also demonstrated a need for further employment land and under the duty to co-operate. This proposal would help meet that need.
- 7.16 The applicant believes there is policy support for the employment development is a significant material planning consideration in favour of the proposals which should be given significant weight.

The Council's assessment

- 7.17 This application falls to be determined in accordance with the development plan unless material considerations indicate otherwise (Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70 of the Town & Country Planning Act 1990).

*The Development Plan for St Helens*

- 7.18 Policy CSS1 of the Core Strategy identifies the main focus for economic development to be on previously developed land in sustainable locations within the M62 Link Road Corridor in St. Helens and Haydock Industrial Estate. The policy also states that development will be restricted to within existing settlement boundaries, unless it complies with Green Belt policy. The justification for the policy states that the spatial distribution for employment land is likely to broadly follow the distribution of existing employment areas and notes that they are constrained from further development outwards due to being surrounded by Green Belt. Policy CSS1 states that development will be restricted to within existing settlement boundaries, unless it complies with Green Belt policy.
- 7.19 Policy CE1 of the Core Strategy states that sufficient land and premises will be provided to strengthen and diversify the Borough's economic base and support the City Growth Strategy and other economic regeneration initiatives by providing at least 37 hectares of land to meet local needs to 2027.
- 7.20 The employment need identified in the Core Strategy is based upon the St. Helens Employment Land and Premises Study (May 2011) and the Review of Employment Land in St. Helens to 2027 (August 2011). The justification for the policy states that 32 hectares of this demand would come from B8 Warehouse and Distribution logistics, 5 hectares would come from B1 offices and 18 hectares for B2 manufacturing. It identifies an employment land supply of 86.12 hectares and an additional 32 hectares through windfall sites which could come forward to meet the identified demand.
- 7.21 Following the adoption of the Core Strategy in 2012, the Council began work on an Allocations Local Plan Development Plan Document (ALPDPD) to identify sites for development in the Borough. As part of that process the Council undertook research to update the evidence base which underpinned the Core Strategy.
- 7.22 Since the adoption of the Core Strategy (2012) there has been a slow take-up of employment land within St. Helens with only 2.37 hectares developed from 2012 to 2016, which is behind other local authorities within the Functional Economic Market Area. The updated evidence identifies that there was a significant material change in the employment land market which

meant that there was a need for considerably more employment land than identified in policy CE1. This was one of the factors which led to the Council preparing a new local plan for the Borough.

- 7.23 The St Helens Borough Local Plan 2020-2035 is currently at Submission Draft Stage and there are a number of objections to key policies in it which, in accordance with paragraph 48 of the NPPF, mean that it can only be given very limited weight at this point.
- 7.24 However, it is relevant to note that it identifies a need for 215.4 ha of employment land between 2018-2035, which is consistent with the Council's employment land evidence base. Policy LPA02 states substantial new employment development (set out in Policy LPA04) will take place on large sites that are capable of accommodating large employment buildings (over 9,000m<sup>2</sup>) and are close to the M6 and M62. Policy LPA04 allocates sites for development for employment. This includes allocating 31.22 hectares of the application site (site 1EA).
- 7.25 This evidence base is a material consideration when determining this planning application. As noted above, it is clear that the need for employment land to 2035 is significantly greater than that identified in Policy CE1 of the Core Strategy. The Council's evidence on the need for employment is set out below.

### Evidence Base

#### *Economic Evidence Base Paper 2015*

- 7.26 In September 2015, the Council published the Economic Evidence Base Paper (EEBP). The EEBP set the context for the demands of the employment land market and it noted that in 2015 there was an acute shortage of available, quality, industrial accommodation across all size parameters in the North West. The paper highlighted that the North West region had the lowest availability in the country for B8 logistics buildings in excess of 9,000 sq.m and less than 8 months of theoretical supply as of September 2014. This is evidenced by the upswing in demand for sites such as Omega in Warrington, which remained undeveloped for 10 years and is now substantially complete.
- 7.27 It is noted that since 2015 there have several applications approved at Omega. Omega is now occupied by large scale distribution warehouses which include 'Amazon', Plastic Omnium, The Hut and Royal Mail.
- 7.28 The EEBP noted that there was significant occupier demand for large-scale logistic buildings with over 4,500 sq.m of floor space in the North West, evidenced by transactions between 2011-2015. The EEBP notes that the amount of floor space taken up in the region between 2014 to June 2015 involved 506,321 sq.m of floor space, the largest take up of all UK regions.
- 7.29 The submitted JLL market report states that the take up within the North West confirms the ten-year average as being circa 2.3m sq. ft (214,000 sq.m), with the most recent five-year average at circa 2.1m sq. ft (195,000 sq.m). The five-year average is primarily due to the volatility of the market due to Brexit (2017) and General Election in 2019. It states take up in 2019 was 1,720,500 sq.ft (160,000 sq.m) focussed mainly on existing buildings. Thus, reaffirming the demand for logistics in the North West.
- 7.30 The EEBP states that the strong demand is set to continue due to the North West Region's location, the strength of Manchester and Liverpool infrastructure projects such as SuperPort and Airport City, and the continued rise of internet shopping whose retailers are deliberately developing logistics strategies to be near to customers.
- 7.31 Sub-regionally, the EEBP reflects on political change and investments in infrastructure in the Liverpool City Region (LCR) since 2012. The LCR Growth Deal was signed in 2014. One of the five strategic projects at the heart of the Growth Deal is to create a freight and logistics hub to put the City Region in the best place to respond to changes in the UK and international

logistics market. The Growth Plan for the LCR has a strong emphasis on logistics and freight as a means of supporting and enhancing the economic output of the region.

- 7.32 In terms of Infrastructure, the EEBP notes the growing needs of the Liverpool Superport, and refers to the study 'Liverpool City Region Superport: An Analysis of the Supply of, and Demand for, Distribution Space. Within the Liverpool City Region (2014)'. The Study defines Superport as one hour's drive time from the Port of Liverpool and includes St Helens. The Study examines the factors that will drive demand for Port related employment land and premises and states that there is an overall requirement of 783-808 hectares in the Superport area over the next 20.
- 7.33 In this context of regional and sub-regional need, the EEBP identified the need for the Council to commission an Employment Land Needs Study (ELNS) to identify the objectively assessed need (OAN) for employment land within the Borough up to 2037, as discussed below.

*Employment Land Needs Study (ELNS) 2015*

- 7.34 The ELNS builds on the context set out by the EEBP and informed the preparation of the Allocations Local Plan 2017-2033. The study analyses demand, supply and need up to 2037, identifying the Objectively Assessed Need (OAN) for employment land within the Borough.
- 7.35 The ELNS states that the demand for warehousing space (which includes manufacturing and logistics) has changed significantly since the development of the Core Strategy, with the commercial property market in the region being driven by an increasing demand for large scale logistics operations (greater than 10,000 sq.m). Consequently, the demand side factor which influences the calculated number of years' supply of land are now too low for projections of need.
- 7.36 The statistics from Omega Warrington's website show the local scale of regional distribution centres (RDC) and does demonstrate that the units are over 10,000 sq.m, indicating the potential scale of demand which St Helens has to provide.

Occupier	Type	Size (sqm)
Travis Perkins	RDC	65,000
Hermes	RDC	14,000
Brakes	RDC	18,000
Asda	RDC	57,000
The Hut Group	NDC	64,000
Plastic Omnium	Manufacturing	22,000

Source: *Omega Warrington*

Table: Size of Built or Under Construction Premises at Omega Warrington

- 7.37 The ELNS states that large flat sites with excellent motorway access, separation from sensitive receptors and proximity to market/supply chains are highly sought after, and that St Helens' key location on the M6 and M62 motorways mean that it is ideally positioned in the North West to provide a critical role in the logistics sector.
- 7.38 However, the ELNS notes that the opportunities for larger operations, particularly large-scale logistics are very limited in the Borough. It states that opportunities in St Helens to take advantage of the large-scale logistics market will be would be dependent on new built stock on greenfield sites. The ELNS identifies an employment land OAN baseline of 147 - 174 hectares up to 2037. This is based upon previous take up of floorspace.
- 7.39 The ELNS also considers the impact of Superport and the development of a Strategic Rail Freight Interchange at the former Parkside Colliery, and concludes that these developments

would increase demand for large scale logistics employment in St Helens, which would equate to an additional 30-40 hectares of employment land.

- 7.40 With the additional figures being taken into account, the OAN in St Helens Borough is 177-214 hectares of which 100-130 hectares being B8 storage and distribution and that large scale operators seeking buildings above 19,000 sq.m would account for approximately 60-70% and 50-65 hectares would be for B2 General Industry.
- 7.41 In summary, the OAN shows a clear and significant increase on the employment land need of 37 ha identified in the Core Strategy. It identifies that this need, particularly for large scale warehousing and distribution, is unlikely to be met on the Borough's existing employment land supply.
- 7.42 An Addendum Report to the ELNS (ARELNS) was published in January 2019 to update it and to support the Local Plan Submission Draft. The ARELNS reviews the ELNS's estimate of the OAN for employment to give the most up to date evidence and market conditions.

*An Addendum Report Employment Land Needs Study (ARELNS) 2019*

- 7.43 The ARELNS notes that the logistics market continues to be the most in demand commercial market in the North West, with demand focussed on the motorway corridors. It reports that discussions with commercial agents in the region show a general opinion that there will be continuing and substantial demand for large logistics space in the coming years and that the logistics market is the most likely sector to drive growth in the Borough of St Helens and the broader North West Region for years to come. The Report identifies that the market is constrained by lack of space and that high quality, large (greater than 5 hectares), flat sites with excellent access to the motorway network and planning support are in short supply.
- 7.44 The ARELNS states that there has recently been strong developer interest in the Borough of St Helens (in particular Haydock), which is consistent with the highlighted demand and the conclusions drawn in the ELNS. It also notes that with Omega in Warrington built out, there is a need for further large-scale logistics sites to be provided near the intersection of the M6 and M62 (which is viewed as a key hub).
- 7.45 The ARELNS identifies that employment land take up has been suppressed in St Helens for a number of years because of an inadequate supply of market attractive sites. It notes that between 2005 and 2015, the adjacent Boroughs of Halton, Liverpool, Knowsley, Wirral and Warrington have all experienced a significantly greater take up of employment land than St Helens. Furthermore, it notes that the sustained strength of the market and the growing momentum around sites in St Helens suggests that the increased need for employment land may be more than anticipated in 2015.
- 7.46 In Warrington 1116.59 hectares of employment land (predominately B8) was taken-up during 2012-2016 of which 109.05 hectares was at the Omega development site. The report notes the last large scale B8 site taken-up in St. Helens was the 15.66 hectare Somerfield/Co-op distribution facility (56,290 sqm /605,920 sq. ft) in 2002/03 and since then whilst there has clearly been market demand, as illustrated in the high take-up rates in Warrington, there has not been an adequate supply of market attractive sites in St. Helens.
- 7.47 As a result of these factors, the ARELNS (2019) identifies that the revised OAN for the Borough in the period 2012 to 2037 is between 190 – 239 hectares of employment land. It states that between 165 – 225 hectares of this land should be for logistics.

*Strategic Housing and Employment Land Market Assessment (SHELMA) 2018*

- 7.48 Sub-regionally, the Liverpool City Region (LCR) published a Strategic Housing and Employment Land Market Assessment (SHELMA) in March 2018. The purpose of the SHELMA is to provide an evidence base to inform the preparation of a City Region Spatial Development Strategy and

support the preparation of local plans by local planning authorities in the LCR and West Lancashire.

- 7.49 The SHELMA identifies that across the LCR and West Lancashire there is a need for between 308 - 397 hectares of land to accommodate large-scale B8, however it does not break this figure down by local authority.

*Liverpool City Region Assessment of the Supply of Large-Scale B8 sites (ASLCB8)  
June 2018*

- 7.50 Following on from the SHELMA, the LCR produced the above study in June 2018. The purpose of this study was to review sites in the LCR that are capable of supporting the growth in large scale B8 developments over 10,000sq.m. The study assessed sites to identify whether they are realistically marketable and likely to come forward for a large scale B8 use by 2037 or if there is a shortfall which will need to be met through the identification of additional sites.
- 7.51 As part of the SHELMA, an audit of sites across the City Region to assess their suitability for large-scale B8 development was undertaken. From a total of 64 sites considered, it concluded that the developable land supply for strategic B8 development in the Liverpool City Region comprised 36 sites totalling 549 hectares. A total of 22 of the 36 developable sites (61%) were less than 10 hectares in size while 10 sites (28%) were between 10 and 30 hectares.
- 7.52 The ASCLB8 identified Florida Farm North, Haydock (35.2ha), Land North of Penny Lane, Haydock (11ha), Parkside East (64.55ha); and Parkside West (63.65ha) in St Helens as being close to the M62 and M6 motorways and therefore well located for regional and national distribution markets.
- 7.53 The ASCLB8 then looked at the quantum of employment land that it is necessary to plan for and identifies a need of between 339 - 437 hectares. The ASCLB8 identifies a committed supply of 171.3 ha of employment land which is likely to come forward to meet the large-scale B8 demand. This suggests there is a clear requirement to identify more sites across the City Region to meet the identified need.
- 7.54 The ASCLB8 also shows that if the supply of land likely to support strategic B8 development is extended to include sites which are currently within emerging Local Plans and/or are subject to current live planning applications, then the total supply increases to 295.6 ha. However, this figure includes a number of sites which are currently in the Green Belt and would need to be removed from the Green Belt before development could come forward. This may be subject to change as local plans are adopted.
- 7.55 If the total supply of 295.6 hectares does come forward, this falls short of the identified requirement in either of the demand scenarios (339-437 ha). This results in a residual requirement for sites to support strategic B8 development which totals between 43.4 ha and 141.4 hectares across the City Region by 2037.

*Liverpool City Region Assessment of the Supply of Large-Scale B8 sites (ASLCB8) June 2018  
and Addendum Sheet, November 2019*

- 7.56 The Liverpool City Region published an Areas of Search Assessment (ASA) document in August 2019 which was intended to build on the work previously undertaken in the ACLCB8, by assessing a further number of areas that were considered to provide further development potential for strategic B8 warehousing and distribution requirements.
- 7.57 The ASA identifies a committed supply of 182.75ha which is likely to come forward to meet the large-scale B8 demand. The ASA then goes on to show that if the supply of land likely to support strategic B8 development is extended to include sites as set out, then the total supply increases to 342.68ha (previously 295.6ha in the ACLCB8), including Green Belt sites.

- 7.58 Overall therefore the ASA established that there is a residual over supply of 3.68ha for the 'do minimum' scenario and a residual requirement of 94.32 ha for the do something' scenario.
- 7.59 The ASA then goes on to review a number of potential sites that could meet the residual requirement of 94.32ha. Table 8 of the ASA summarises the findings of the assessment of these sites, and part of the application site (the proposed Local Plan Submission Draft allocation 1EA) is identified as a site that could help meet the residual requirement in the short term.

*JLL Market Report*

- 7.60 As part of the applicant's case for very special circumstances, the applicant refers to the JLL Report which sets out the economic need and market demand for the proposed development. The market report does identify that there is demand for large employment sites in the North West which have been taken up. Immediate available Grade A supply is 2.4 million sq.ft which, if based on the last years take up of 1,720,500 sq ft (160,000 sq.m), would equate to 1.42 years supply which is relatively low.

*Applicant's Need to be within the North West and St Helens*

- 7.61 The interest by large scale operators is evident by this application. TJM/Home Bargains state that they need to be sited within the north, specifically St Helens, to meet the business need for expansion for proposed new stores and to serve the existing stores.

*Recent developments*

- 7.62 The evidence outlined above covers the period between 2012 and 2037. It is acknowledged that since 2012, planning permission has been granted for employment developments in the Borough including around 35 hectares at Florida Farm North, 11 hectares at Haydock Green, 3.5 hectares at Kilbuck Lane and 63.65 hectares at Parkside West (subject to Secretary of State call-in). However, even allowing for these developments, there is still a significant need for employment land in St Helens Borough.

*National Planning Policy*

- 7.63 The need for employment development should also be considered within the context of national planning policy. Paragraph 8 of the NPPF sets out that one of the three overarching objectives of the planning system is an economic one. It states that the planning system should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity.
- 7.64 Chapter 6 of the NPPF is focused on building a strong, competitive economy. Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
- 7.65 Paragraph 82 of the NPPF states that planning decisions should recognise and address the specific locational requirements of different sectors, including making provision for storage and distribution operations at a variety of scales and in suitably accessible locations.

*Duty to Co-operate*

- 7.66 Paragraph 24 of the NPPF states local planning authorities are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries when preparing new local plans.

- 7.67 Officers have worked with Warrington Council, who are also drafting a new local plan, in addressing key strategic planning issues such as housing, the economy, infrastructure and strategic environmental assets. The results of this cooperation have underpinned the approach to key issues in the Local Plan.
- 7.68 St.Helens and Warrington Councils have identified, under the duty to cooperate, that the emerging Warrington Local Plan is unlikely to be able to accommodate all of Warrington's employment land needs for 2017-2037 within its administrative boundary. The Council has therefore agreed to allocate 31.22ha (part of the application site – proposed Local Plan Submission Draft site 1EA) of land adjoining the existing Omega South employment area to help Warrington Council to meet these needs.

#### *Summary of the evidence*

- 7.69 There is clear and compelling evidence that there is a significant need for new employment land in the Borough of St Helens, including large scale logistics and that St Helens can also support the delivery of Warrington's unmet need for employment land.
- 7.70 It is also clear that the market for employment land has changed significantly since the adoption of the Core Strategy in 2012 and the modest requirement of 37 hectares is now superseded by a requirement for large scale B8 development of between 190-239 hectares in St Helens and between 339-437 hectares in the Liverpool City Region.
- 7.71 In accordance with the evidence, the application for full planning permission (32.5ha) would go towards meeting the unmet employment land needs of Warrington. However, in market terms the demand is the same for the site irrespective of the amount of Borough's need it technically meets. Given the site's location and the operator's business requirements, the full element of the scheme would also meet a need within the Liverpool City Region and North West.
- 7.72 The outline element of the scheme would also meet the need identified within the evidence base for St Helens and also the Liverpool City Region. The JLL report also illustrates how the site would also meet a city region need due to the limited availability of sites which can accommodate units in excess of 300,000 sq. ft (28,000 sq.m).
- 7.73 The extent of change outlined above effectively renders policies CSS1 and CE1 in the Core Strategy out of date (although it is important to note that they are not the most important for making a decision) and means that they should only be given limited weight when considering this application. By contrast, evidence above is up to date and has been prepared in accordance with National Planning Practice Guidance (NPPG) which means that, particularly in the context of the NPPF, it should be given significant weight when assessing this application.

#### *Whether the application site is attractive to the market and would help meet the need for employment land in the Borough*

##### **Applicant's case**

- 7.74 The applicant identifies that the site is suitable and deliverable and will form an important part of the Borough's employment land requirements. They argue that the site is close to the motorway network, a labour pool, within a well marketed area adjacent to Omega, and that the land can accommodate large warehouses.

##### **The Councils Assessment**

- 7.75 The EEBP states that large scale logistics is the most active market in the region and a particular opportunity for the Borough of St Helens. It considers specific criteria to determine where distribution development should be located and takes into account issues identified in the Core Strategy and criteria of critical importance to occupiers and developers. The criteria established to meet the needs of large-scale employment development are summarised below;

- Minimum site area of 5 hectares (this allows for a building of circa 300,000 sq.ft)
- 10 minute or less drive to motorway junction
- Availability of HGV access
- Access from A570/A580/M6/M62 via the strategic and/or primary freight network as identified in the Core Strategy, avoiding road used to access main urban residential areas.
- Good public transport
- Separation from sensitive uses including identified outdoor recreation and leisure facilities.

7.76 In order to determine whether a site is likely to be deliverable and attractive to the market the EEBP criteria is a relevant consideration. The extent to which the application site meets the criteria is assessed below.

7.77 The application sites comprises 75ha of land allocated less than 10 minute's drive time from the M6 and M62 motorways. The site is close to a labour market and accessible via public transport through Warrington and subject to a bus connection link being extended through St Helens. The site is accessed through an established industrial estate with roads suitable for HGV movement. There is sufficient separation distance from sensitive receptors and mitigation can be put in place depending on future operators, for example, chilled operators. In broad terms, the site meets the EEBP criteria and is considered to be deliverable and attractive to the market.

7.78 The land is relatively flat and next to an existing industrial estate in Omega. The full element of the scheme is in a bespoke built to suit format which demonstrates the attractiveness of the site to the operator, who has demonstrated a build out time for the site. The outline element is in speculative form but meets the criteria set out in the EEBP. The site is capable of accommodating the minimum floor space requirements for large scale logistics.

7.79 In summary, based upon the evidence outline above, the proposed development is considered to be deliverable and attractive to the market. It would assist in meeting the significant need for large scale logistics in the Borough.

#### Whether other sites could meet the need

#### **Applicants Case**

7.80 The submission includes an Alternative Site Assessment (ASAS) which identifies there are no available, suitable or alternative sites to meet the need. Consequently, the applicant believes that development in the Green Belt is justified in order to meet the identified need.

#### **The Council's Assessment**

7.81 The applicant's ASAS uses criteria based around the EEBP set out above in paragraph 7.75. They have also considered other factors to determine the suitability and deliverability of a site such as topography, shape and flood risk. The purpose of the ASAS was to identify whether the Council's current employment supply (i) could accommodate the identified need and/or the proposed development; and (ii) is attractive to the market. If it is not, then it would not be able to help meet the demand for employment land (as set out above), demonstrating the need to develop land in the Green Belt to meet the need.

7.82 The applicant explains the hybrid application is being submitted in the context of an occupier-led need for a bespoke, purpose built B8 warehouse (TJM/Home Bargains) with the full element and a significant identified need for deliverable employment floorspace in St Helens Borough with the outline element. The ASAS evaluates the suitability of alternative locations for a large-scale logistics schemes of a similar form to that proposed here. It also considers whether there are any opportunities to disaggregate the proposed floorspace onto a number of alternative sites.

7.83 The Study concludes that there is no alternative available brownfield, greenfield or Green Belt sites within St Helens or Warrington that can accommodate the proposed development that are deliverable in the short term, thereby meeting the identified shortfall in employment land supply.

*Search area*

7.84 The ASAS considers sites within St Helens and Warrington. Warrington has been included as the emerging local plan allocation 1EA forms part of the proposed development area which is intended to serve the employment land supply needs of Warrington. In this case, the full element would meet the employment needs in Warrington and the outline element will go towards meeting need in St Helens Borough and the Liverpool City Region. Whilst the proposed development is also intended to meet a regional and national need, as demonstrated above, in order to meet local need and deliver the benefits to St Helens and Warrington, the search area has been concentrated in those areas. This is considered to be a reasonable approach.

*Site size search*

- 7.85 The proposal is to develop a site area of approximately 75.3 ha. The full element is proposed to cover a site area of 34.9 ha and provide a 81,570 sq.m (878,012 sq.ft) B8 logistics warehouse. The outline covers a site area of approximately 40.4 ha and 123,930 sq.m. Whilst all matters except access are reserved for the outline, an indicative floorspace is proposed on the masterplan, which is a minimum 27,870 sq.m / 300,000 sq. ft. In total the floorspace would be 205,500 sq.m.
- 7.86 In assessing whether other sites could accommodate the size of the proposed development and represent suitable alternatives, the applicant has applied an average development density of 40%. This is a reasonable ratio to apply and is a figure identified within the SHELMA. The proposed development (total floorspace of full and outline) would require a minimum site area of at least 51 ha to deliver the proposed development.
- 7.87 The applicant has also considered the possibility of disaggregating the proposed floorspace, which will be discussed in further detail below. Applying the 40% average density for the full element (unit 1) of the hybrid application, a minimum site area of at least 20 ha is required. For the outline element the minimum site area would be 30.9 ha. However, as the form of development for the outline element is not known, the applicant has used the parameters defined in the EEBP to establish the area of search. The applicants ASAS has therefore reviewed sites with a minimum site size of 5 ha, to allow for a building size of circa 27,870 sq.m / 300,000 sq. ft. This is considered to be a robust approach.

*Sources of supply for the ASA*

7.88 For St Helens there were three sources of supply for the ASAS. The first considers sites in excess of 5 ha which have been granted planning permission within the period of 1 January 2012 to 1st Dec 2019, as follows:

1. P/2016/0608/HYBR – Land at Florida Farm, North Slag Lane, Haydock;
2. P/2015/0571/HYBR – Land at Penny Lane, Haydock.
3. P/2012/0043 – Land at Sandwash Close, Rainford

7.89 The second considered remaining available sites allocated for employment development within the Unitary Development Plan which identified;

1. Allocation 3Ec2 - Land south-west of Sandwash Close, Rainford;
2. Allocation 5Ec4 - Land to east of M62 Link/north of Lea Green Industrial.

7.90 The third considers sites within the Economic Evidence Base Paper 2015 (EEBP), and the emerging Local Plan site 1ES Omega North West Extension. In total there were 26 sites identified.

7.91 For Warrington the ASAS considers the list of grade A sites within the Warrington Economic Needs Assessment (2019), potential employment sites submitted as part of the consultation on

the emerging Warrington Local Plan and a review of planning applications, which found the following;

1. 2013/21340 & 2013/22143 (FULL) – Land to the south of the M62, west of Junction 8, Omega South, Warrington – ASDA Walmart (11.2 ha)
  2. 2014/23290 (OPP) – Zone 7, Omega South, Warrington (92 ha); • 2015/26475 (S73) – Omega, Phases 1 & 2, West side of Burtonwood Road, Warrington – variation of conditions to allow B2/B8 logistics (11.84 ha);
  3. 2017/30371 (OPP) – Zones 1 & 2, Omega South, Burtonwood and Westbrook, Warrington (47.89 ha)
  4. 2013/21695 (RMA) – Plot 1C, Omega North, Warrington – Travis Perkins (15.5 ha);
  5. 2014/24372 (RMA) – Plot 7a, Zone 7, Omega South, Warrington – The HUT Group (16.5 ha)
  6. Site 1 - 2017/31212 (RMA) – Plot 7E & 7F, Zone 7, Omega South, Warrington – Mountpark (23.03 ha)
  7. Site 2 - 2019/35646 (RMA) – Zones 1&2, Omega South, Warrington – Mountpark (12.7 ha)
- 7.92 A review of employment allocations in the adopted Warrington Core Strategy (2014) found one allocation of 5 ha or more that being the Omega Strategic Allocation at 130.19 ha. However, the majority of this has already been taken up with the exception of a speculative development by 'Mountpark' at zones, 1, 2 and 7.
- 7.93 In total, the ASAS considers 36 sites of 5ha or over in size. On the basis of the evidence available, the sites that the applicant has identified are considered to be a reasonable reflection of the current employment land position in St Helens. Warrington Council have not offered any alternatives in the search area although they have asked for assurances that an agreement is in place with the Liverpool City Region regarding the 44.08 ha of employment land and unmet need for strategic B8 uses in the wider Liverpool City Region. There is no agreement at this point, but there is a statement of common ground with the other LCR authorities that they will work closely to meet the strategic need.
- 7.94 In assessing the market demand, suitability and deliverability of a site, the applicant has reviewed the sites on a three-stage approach. Firstly, reviewing the sites on whether they meet the minimum site requirements established through the EEBP, including proximity to the motorway network, good access to via A roads, public transport connectivity and the ability to mitigate for sensitive uses. This methodology has been used elsewhere within the Borough for large scale applications and for the evidence base for the local plan, so it is appropriate. It has also been used to assess the suitability of sites in delivering large scale logistics including topography, shape, flood risk and proximity to settlements.
- 7.95 Out of the 36 sites in the applicant's ASAS, 23 sites have been discounted for being unsuitable. Out of those sites, the land south-west of Sandwash Close, Rainford, which is an allocated employment site in St Helens UDP and outside of Green Belt, is discounted because there is no direct motorway access. The site has remained undeveloped since it was allocated and whilst planning permission was granted in 2012 for an industrial unit, the creation of a new road extending through Green Belt was required to provide better connections. Half of the site is also within flood zone 3. The applicant's assessment on discounting this site is therefore reasonable. The ASAS also discounts another allocated employment site, which is north of Lea Green Industrial Estate. This site is closer to the M62 than the applicants ASAS states, however, the irregular shape and the lack of market interest means the applicant's justification that the site is not attractive and deliverable is also reasonable.
- 7.96 From the remaining 13 sites, the majority are within the Green Belt. The applicant's ASAS considers the merits of those remaining Green Belt sites, however they are not sequentially preferable alternatives that could be developed without harm being caused to the Green Belt. Of the remaining 2 sites in Warrington, they are not within the Green Belt but both benefit from planning permission and form part of the present employment land supply for Warrington.

7.97 Warrington Site 1 'Mount Park' (Address; Plots 7E & 7F, Zone 7, Omega South) consists of 4 built units located to the east of the application site. Only 1 unit (no.4) (17,545 sq.m / 188,854 sq.ft) remains available, which does not meet the minimum floorspace requirement of the proposed development. On review of the remaining area in Zone 7, plots 7D and 7C have also been occupied by Plastic Omnium and Amazon and plots 7A and 7G by the Hut group. See Figure 1 for zone 7 location in Omega. It is agreed that neither the full or outline element could go on this site as a whole.



Figure 1: Zone 7 showing plots 7A-7F

7.98 Warrington Site 2 'Mount Park' (Address: Zones 1&2, Omega South), was granted outline planning permission for 30% manufacturing (B2) and 70% distribution/ logistics (B8) and Offices (B1a). See Figure 1 for zones 1-2 location in Omega.

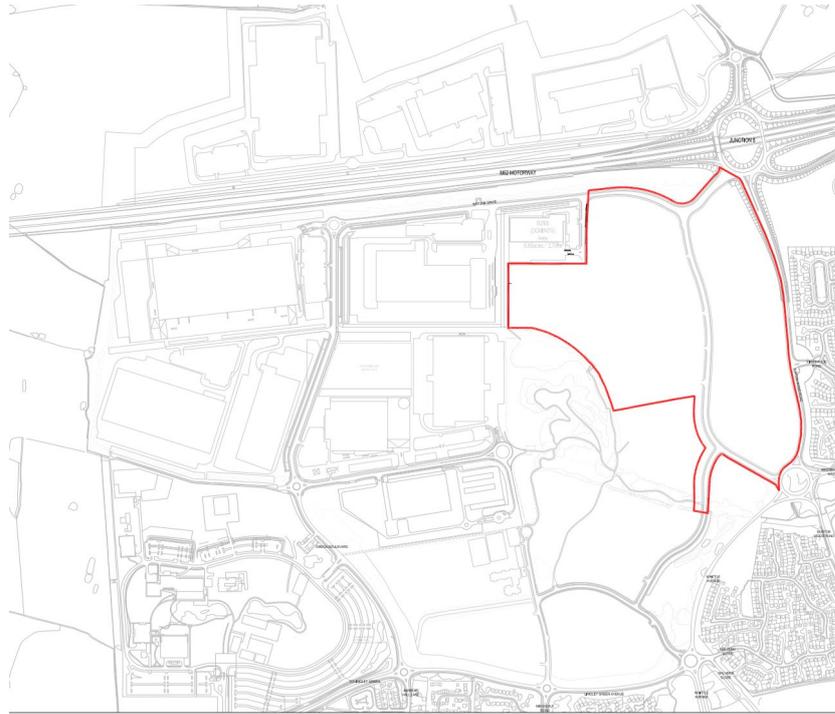


Figure 2: Zone 1-2

7.99 A subsequent reserved matters application for 12.7 ha was granted for 3no B2/B8 industrial units. Only one of the approved units (Unit 1 - 28,596 sq.m / 307,807 sq.ft) is large enough to accommodate the minimum floor space stated in the proposed development. This is currently being built out (see figure 3) and it is agreed that neither the full or outline element could go on this site as a whole.



Figure 3: zones 1-2 location in Omega.

- 7.100 This application is being assessed on the basis that should permission be granted, then the B1 element within at Zones 1-2 (2017/30371) in Warrington would be revoked and replaced with outline planning permission for residential, which was pending with Warrington Council.
- 7.101 For the remaining portion of the undeveloped site in zone 1-2, the applicant acknowledged that if the B1 element were removed, it would result in the loss of allocated employment land within Warrington which could offer an opportunity for a B2 / B8 logistics.
- 7.102 The applicant has discounted the use of this area for B2/B8 though due to the site being bordered by residential development to the south and east of the site as well as its irregular shape. They also stated that a Market Report had been submitted with the residential application to demonstrate the lack of demand for B1 office development in this location. Warrington Council has also recently approved outline planning permission for residential on this site. It is agreed that neither the full or outline element could go on Warrington Site 2 as a whole given the justification provided.
- 7.103 Of the remaining sites identified within Warrington, the applicant states they form either part of the present employment land supply (Sites 1 and 2 Mountpark) or have been identified in the evidence base for the emerging Local Plan (Green Belt sites 3-8) as part of the future employment land supply. It is accepted that redirecting the proposed development to these alternative sites would not remove the need for additional employment land and the duty to co-operate with neighbouring local authorities to address strategic issues such as employment land supply. The application site is adjacent to the boundary to Warrington and therefore in advance of the Local Plan it is not considered unreasonable for the employment figures for part of the development to go to Warrington.
- 7.104 Evidence has been presented to demonstrate that an alternative site that would be attractive to the market for the proposed development does not exist within the urban area and outside of the Green Belt. This is reflected in the EEBP, which states that there is currently an imbalance between supply and demand for large scale distribution sites in the Borough. This shortage of available land has meant that in recent years, when demand for large scale distribution premises has been high, occupiers have had to look elsewhere primarily outside the Borough. It is therefore necessary for a site to be considered in the Green Belt to meet the identified need.

*Whether the development can be disaggregated*

### **Applicant's Case**

- 7.105 In recognition of the site as Green Belt, the applicant has considered whether the site is the only suitable location for the proposed development but also whether the form of development proposed represents the only way in which the need for large-scale logistics floorspace could be delivered. The applicant notes that part of Omega's success has been its ability to accommodate large floorplate units, which is a direct result of the flat topography and open nature of the site, traits which are shared by the application site. They state the proposed development seeks to capitalise on these site-specific qualities and to replicate the existing Omega character by promoting further large-floorplate warehousing to meet the identified need. They state there is no other alternative site within the Borough that benefits from the established market presence, appeal and proven deliverability that is offered by the relationship between the application site and the existing Omega development. There is also no other form that the development could be delivered in.
- 7.106 The applicant has considered whether there is a need for the floorspace proposed by the full element (81,500 sq.m) of the hybrid application and whether there is a need for the outline units particularly with regard to the minimum floorspace of 27,870 sq.m or whether either could be satisfied by a number of smaller developments and provided on separate sites and still meet the needs of the market.

## Councils Assessment

- 7.107 The Council does recognise the rapid development and subsequent occupation of the large units in Omega Warrington which does demonstrate that there is a demand for large scale units on the ground and the desirability of the location for the market.
- 7.108 Aforementioned in paragraph 7.87 the ASAS identified sites over 20ha and 30ha which theoretically could accommodate either the full element as a whole or the outline element as a whole. The sites have been discounted on the basis that they fail to meet the minimum site requirements laid out in the EEBP, there is no longer enough space available within the sites or that the sites are within Green Belt. The reasons for discounting them are considered reasonable as they would not be suitable in market terms and do not perform the necessary role required.
- 7.109 The applicant has considered the disaggregation of unit 1, which forms the detailed element of the proposal being a new distribution centre for TJM/Home Bargains. The applicant has provided an operator statement which sets out the business case for the development both in terms of its location and internal and external layout / design.
- 7.110 It is accepted that in the context of the applicant's existing store network and planned growth, the site does offer a locational advantage, in addition to meeting the criteria identified within the EEBP which includes proximity to a labour source, excellent motorway and road connections along the Liverpool to Hull corridor and separation distance from sensitive receptors.
- 7.111 The applicant has also demonstrated the requirement for the height and footprint of the warehouse, which is to accommodate the high bay racking area and internal operational requirements and storage capacity to support the number of proposed new stores. Based on the information provided, it is considered that the applicant has demonstrated it would not be feasible to disaggregate unit 1 into a smaller footprint or onto smaller sites. Furthermore, given the height and scale of the building this location is a sufficient distance away from residential receptors.
- 7.112 The outline element of the scheme is for 123,930 sq.m of speculative floorspace and has no end users therefore the applicant has also considered whether the outline element could be delivered on a combination of smaller sites.
- 7.113 The applicant has demonstrated that there is a need and demand for large scale B2/B8 employment uses through the evidence base which supports St Helens and Warrington's Local Plan and also through market reports. The EEBP identifies large scale as being a minimum 300,000 sq.ft (28,000 sq.m) and the JLL Market report identifies a demand for speculative build to suit logistics development in the North West, of which a large percentage is for larger facilities in the order of between 300,000 sq.ft and 800,000 sq.ft (74,000 sq.m). A minimum floorspace of 300,000sq.ft for the outline units is therefore considered reasonable as a smaller footprint would not meet the market demand for large scale B2/B8.
- 7.114 The ASAS has demonstrated that the sites above 5ha which could theoretically accommodate one or more of the outline units are not suitable. Of the available brownfield sites in Warrington only one of the approved units at 'Site 2 'Mount Park' is large enough to accommodate the minimum floor space of the proposed development and this is already being built out. Aforementioned in paragraph 7.100 the remaining part of this site is also not considered to be suitable for B2/B8.
- 7.115 In summary, there are no sites within the urban area, including those with planning permission, which could accommodate the proposed development. Evidence has been presented which demonstrates that an alternative site for this development that would be attractive to the market, does not have planning permission or exist within the urban area and is available. The proposed development could therefore only be accommodated within the Green Belt.

- 7.116 The ASAS considers the merits of a number of other Green Belt sites within the Boroughs of St Helens and Warrington. It is acknowledged there would be harm, but this does not detract from the applicant's central contentions that a site in the Green Belt is required to meet the identified need.
- 7.117 Paragraph 80 of the NPPF states that planning decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth taking into account both local business needs and wider opportunities for development.
- 7.118 The Council's evidence base, and the evidence submitted by the applicant shows that there is a significant demand for new employment land in the Borough. It also demonstrates that there is a lack of suitable employment land and premises available that could accommodate the large-scale logistics buildings proposed by this application on a site which would be attractive to the market.
- 7.119 It has been demonstrated that the proposed development would be deliverable and attractive to the market. It would make a significant contribution to the need for employment land in St Helens Borough and the Liverpool City Region and assist Warrington with its employment land supply. This should carry significant weight in favour of the proposed development.

### **Whether there are significant economic benefits**

#### **Applicant's case**

- 7.120 As outlined in paragraph 2.89, the applicant's case of very special circumstances identifies that the proposed development would have a significant positive economic benefit for the Borough of St Helens. They submit that the construction and operation of the full element of the development would result in an estimated investment of £141,526,602 Gross Value Added (GVA), which includes jobs, expenditure and income for the economy within St. Helens and £47,175,534 GVA to the economy within the North West.
- 7.121 There would be approximately 845 gross FTE jobs through the construction of the full element and 2,679 with FTE jobs for the outline element.
- 7.122 The applicant states the full element, when operational, would provide an estimated 980 FTE jobs. However, the applicant has also provided a further breakdown of job figures based on current operations. There would be an approximate peak of 766 FTE jobs at 40% capacity and a peak of 1431 FTE jobs when 100% capacity. The outline development would generate approximately 3,014 FTE net warehouse and industrial jobs.

#### **The Councils assessment**

- 7.123 In terms of investment into the local economy, the applicant reports that they are based on industry standards and leakage, job displacement. Multiplier effects have been taken into account to determine the total net employment. It is difficult to assess the precise level of investment that would be brought about by the proposed development, however, it is likely to be significant.
- 7.124 The employment figures suggested by the applicant for the full and outline elements are based upon the applicants figures for job creation based on existing distribution sites and also Homes and Communities Agency (HCA) Employment Densities Guidance. A combination of these methods is considered to be an appropriate means of calculating the number of people that could be employed on the site. The applicant has stated that for unit 1, the technical specification of the proposed internal fit out of specialised equipment means those construction jobs are already assigned. Therefore, it is reasonable to assume that the actual number of construction jobs available for unit 1 may be lower than that stated in the ES.
- 7.125 The outline element of the scheme is speculative and there can be no certainty over the level of jobs that would be created. The ES also does not quantify the potential construction jobs

associated with the outline, however, given the floorspace is greater than the full it could be assumed to be similar.

- 7.126 Each application has to be assessed on its own individual basis. In summary it is considered that the proposed development would result in a significant investment into the local economy and would create/support a number of jobs during the construction and operational phases. This should be given significant weight in favour of the proposed development.

### **Whether there are social benefits**

#### **Applicant's case**

- 7.127 The applicant states that deprivation and employment opportunities are part of a wider need for regeneration and that this proposal can make a contribution by providing new jobs opportunities and investment. The applicant also identifies that local recruitment would take place.

#### **The Council's assessment**

- 7.128 The social benefits outlined above are considered to be a reasonable reflection of the development benefits. The applicant has indicated that a number of jobs would go to St Helens residents and a local employment scheme for construction has been provided. Although it is recognised that there is no guarantee that the development would provide jobs to those in the highest areas of deprivation, nonetheless, job opportunities would be created.
- 7.129 Accessibility of employment opportunities for St Helens residents is a concern, given the application sites position adjacent to Warrington's boundary. However a contribution of £750,000 has been secured via a planning obligation, to provide a bus service from St Helens to the application site. There would also be a footpath provided through the site with direct access to the building. A condition to secure the implementation of the local labour force recruitment is recommended. There is therefore a reasonable prospect of the development making a small contribution to tackling deprivation in the Borough.

### **Whether there are environmental benefits.**

#### **Applicant's Case**

- 7.130 The applicant states harm will be caused to the environment and habitats but that the full element of the scheme will deliver a new ecological mitigation area, referred to as the 'Green Wedge', and landscaping throughout the site, including landscape and ecological management plans and landscaping within the outline element.

#### **The Councils Assessment**

- 7.131 Significant areas of established and protected woodland would be lost, which will undermine Bold Forest Park Area Action Plan. The loss of woodland and proposed diversions of water courses would also impact significantly on ecology. Landscape mitigation is proposed and a contribution of £180,000 has been secured via a planning contribution to fund infrastructure projects within the Bold Forest Park Area such as Clock Face Country Park, Maypole Farm, Griffin Wood and the links between them, as well as and £1,696,800 to carry out projects within St Helens for Biodiversity Net Gain to mitigate for the loss of habitat. The loss can still not be seen as a benefit of the scheme as significant harm is caused. This is considered in more detail below.

### **Conclusion on Very Special Circumstances**

- 7.132 Paragraph 80 of the NPPF states that planning decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

- 7.133 The evidence shows that there is a significant need to deliver employment land in the Borough of St Helens and there is an employment need in Warrington. The proposed development would make a significant contribution to the employment land supply in the Borough of St Helens and the Liverpool City Region and help meet objectively assessed employment land needs locally and sub-regionally. There are no other sites in the urban area in St Helens or Warrington or with planning permission that are otherwise suitable that could accommodate this type and scale of development in whole or part.
- 7.134 The applicant has shown that there is an end user ready to build out and occupy unit 1 and that the overall proposed development is immediately deliverable and attractive to the market. Notwithstanding this, the quantitative need is such that if planning permission were granted on the site, it would not necessarily preclude other sites being promoted inside or outside (if available) the Green Belt (if the relevant statutory and planning policy tests could be met). It is also important to state that granting planning permission would not set a precedent either, as each site would be judged on its own merits. For example, previous planning permissions such as Florida Farm and consideration of the development of Parkside have been assessed on their own individual merits.
- 7.135 The applicant has shown the proposed development would deliver significant economic benefits during the construction and operation phases, in terms of investment into the Borough and direct and indirect job creation. Some modest social benefits would also be delivered because there is a reasonable prospect of the development making a small contribution to tackling deprivation.
- 7.136 The applicant's case demonstrates that the proposed development will deliver significant economic benefits that should be given significant weight in favour of the development. This must then be weighed against the substantial harm caused to the Green Belt and any other harm, as assessed below, in order to establish if the economic benefits and the site specific circumstances (i.e. no other sites within the urban area could realistically deliver the proposed development) amount to very special circumstances.

### **Other harm to the Green Belt**

#### *Harm to Openness*

- 7.137 Paragraph 133 in the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; their essential characteristics are their openness and permanence.
- 7.138 Saved Policy GB2 in the Unitary Development Plan states that development in the Green Belt will be judged against; whether it is appropriate in terms of its siting, scale, design, materials and landscaping and does not detract from the openness of the Green Belt.
- 7.139 The applicant argues that harm to openness will be moderate due to the site being directly adjacent to the industrial site Omega and that the proposal will appear as a natural extension to Omega over time. It states that views are also mainly available from the M62 and that the site sits on the edge of the Green Belt. Landscaping and careful design will serve to reduce the impact of the development.
- 7.140 The application site is greenfield land, comprising arable fields, ponds and three groups of woodlands. The only built structures are the three pylons, one metal lattice frame and two wooden pole pylons. Whilst the M62 runs to the north of the site, there is farmland beyond and to the west and south of the site is also farmland and woodlands. The site does have an urban eastern boundary, the industrial buildings at Omega and office development at Lingley Mere. However, the application site is used for farmland and clearly reads as part of the countryside.
- 7.141 The erection of a 81,560 sq.m B8 logistics building at a maximum height of 41.6 metres along with an outline development for 123,930sq.m of B2/B8 warehouses with heights of up to 19 metres along with the associated hard-standing, infrastructure and associated movement, would

have a significant adverse impact on the openness of the Green Belt, contrary to saved policy GB2 and the NPPF.

**Whether there is harm to the purposes of including land within the Green Belt.**

7.142 Saved policy GB2 states that development in the Green Belt will be judged against criteria including whether it conflicts with the purposes of including land within the Green Belt.

7.143 Paragraph 134 of the NPPF and saved policy S1 in the St Helens UDP identify the purposes of including land in the Green Belt as:

- To check the unrestricted sprawl of large built up areas
- To prevent neighbouring towns from merging into each other
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns and,
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

Each can be considered in turn.

*To check the unrestricted sprawl of large built up areas*

7.144 This application proposes development outside of the urban area in St Helens and would lead to the expansion of an existing built up area. The site is bounded by the physical boundaries of the M62 to the north and Omega Industrial Estate to the east. The proposed 'green wedge' mitigation to the north and existing Booths Wood along with the diverted Whittle Brook along the western boundary, would, to a degree, contain the extent of the development preventing urban sprawl. However, whilst the applicant is correct in noting that the Council's Green Belt Review found the site to be 'well contained to the north, east and in part the south and west', the proposal has gone beyond the boundaries of the proposed allocation. The proposed development is therefore considered to conflict with this purpose.

*To prevent neighbouring towns from merging into each other*

7.145 The proposal would be an extension to the urban area into St Helens. However, there would still be significant separation from urban areas in Clock Face and Bold. The development would not cause towns to merge into one another and therefore there is no conflict with this purpose.

*To assist in safeguarding the countryside from encroachment*

7.146 The application site is currently used for agriculture, and visually appears as part of the countryside. The proposed development would result in encroachment into the countryside the scale of which is significant. The proposed development would conflict with this purpose.

*To preserve the setting and special character of historic towns*

7.147 Bold and Clock Face are not identified as historic towns and so the proposed development would not affect the setting and special character of historic towns.

*To assist in urban regeneration by encouraging the recycling of derelict and other urban land*

7.148 The proposal does not assist in urban regeneration by encouraging the recycling of derelict and other urban land. Notwithstanding the fact that there are no sites within the urban area that can accommodate this development, there is conflict with this purpose.

Summary of Impacts on the Green Belt

7.149 The proposal is inappropriate development in the Green Belt, would be contrary to three of the five purposes and would have a significant impact on the openness, contrary to saved policy GB2. Accordingly, substantial weight should be given to the harm by way of inappropriateness, together with substantial harm caused to the openness of the Green Belt and conflict with the purposes of including land within the Green Belt.

Other Harm

7.150 As set out in Paragraph 144 of NPPF, when assessing whether very special circumstances exist, it is also necessary to weigh any 'other' harm into the planning balance. This report will now consider the 'other' impacts of the development and identify whether they cause harm.

**Contaminated land, stability and major hazards**

7.151 Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural environment by preventing new development from contributing to, being put at unacceptable risk from or adversely affected by unacceptable levels of soil pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate.

7.152 Paragraph 178 of the NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).

7.153 Paragraph 179 states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

7.154 Policy CP1 states that new developments should ensure that the site of the proposed development is not contaminated and/or unstable or that provision can be made for its remediation to an appropriate standard, taking into account its intended use and making use of sustainable remediation technologies.

7.155 A Phase 1 Geo-environmental Assessment, Ground Investigation Report & Remediation Strategy and Ground Gas Assessment has been submitted which covers the northern parcel of the application site, referred to as zones 8A and 8B. These zones cover the full element, excluding the 'green triangle' to the north west and part of the outline element which is labelled 'expansion land'. As the application site is agricultural land, the site investigation identifies that other than some localised areas of made ground associated with historically backfilled drainage ditches, the ground conditions comprise topsoil onto natural glacial till and sandstone. The potential health risk associated with chemical contamination is low and acceptable, particularly in relation to the proposed end use. No asbestos or asbestos containing material was identified.

7.156 The Council's Contaminated Land Officer has reviewed the information and is in agreement with the conclusions of the reports. No objection is raised to the remediation strategy. A condition is recommended that a verification report be submitted and agreed.

7.157 Following advice from the officer, the applicant carried out further ground gas monitoring and a subsequent strategy for the decommissioning of boreholes within the sandstone bedrock submitted. The Council's Contaminated Land Officer agrees with the findings of the report again subject to a verification condition.

7.158 A triangular area of approximately 8 hectares in the north west of the site is proposed as a landscape/ ecology mitigation buffer zone and the southern half of the outline element have not been subject to site investigation. The Council's Contaminated Land Officer has explained that given the associated low contamination risk and the low sensitivity of the proposed end use, a site investigation here is not necessary. However, in accordance with the recommendations of

the phase 1 study, it would be necessary for further investigation to be completed throughout the southern part of the site for which outline permission is being sought. This can be secured through a condition.

- 7.159 The Coal Authority has commented that the site does not fall within a defined 'Development High Risk Area' and is located instead within a low risk area. There is no requirement for a Coal Mining Risk Assessment. The Coal Authority does not raise any objection.
- 7.160 Subject to the conditions recommended by the Contaminated Land Officer, the proposed development could be delivered in a safe manner in accordance with the requirements of Policy CP1 and the NPPF.

### ***Ethylene Pipeline***

- 7.161 Paragraph 45 of the NPPF states that local planning authorities should consult the appropriate bodies when considering applications for the siting of development around major hazard sites or pipelines.
- 7.162 Saved UDP policy ENV 28A states that within the consultation zones of existing notifiable installations, the Council, in consultation with the Health and Safety Executive, will seek to ensure that no new developments take place which would significantly increase the population at risk. Whilst they are subject to stringent controls under existing health and safety legislation, it is considered prudent to control the kinds of development permitted in the vicinity of these installations.
- 7.163 The proposed development will be constructed over an existing ethylene pipeline (under the ownership of ESSAR and Penspen) which comes from north of the western side of the application site. The ES concludes that based on the information currently available in other relevant ES chapters, that the risks are anticipated to be as low.
- 7.164 The Health & Safety Executive (HSE) has reviewed the information and advice that the full application site lies within the inner, middle and outer consultation zones of the pipeline. The proposed logistics warehouse would be classed as a sensitivity level 2 development within HSE's methodology. They state that whilst it appears that the building may extend slightly within the inner zone, as less than 10% of the building will lie within the inner and middle zones, it is considered to lie predominantly within the outer zone and the assessment is made on this basis. Consequently, HSE has raised no objection on safety grounds.
- 7.165 The area of the site for which outline planning permission is sought lies partly within the outer zone of the pipeline and particular outside the consultation distance. Based on the sensitivity level of the proposed use the HSE has again raised no objections on safety grounds.
- 7.166 Shell UK has been consulted and stated they have no comment to make on the merits of the application.
- 7.167 National Grid was consulted, and no comments back have been received.
- 7.168 As no objections are raised to the development of the application site, the development can be delivered safely in line with the requirements of saved policy ENV28A and the NPPF.

### ***Electricity lines***

- 7.169 An overhead electricity distribution line runs 150 m into the application site from the north east corner to a pylon before splitting into two sets of overhead lines. The applicant has applied to divert this which is assessed under a S37 of the Electricity Act 1989. Scottish Power have raised no objections to the proposal.

### **Agricultural Land**

- 7.170 Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Policy CP1 states that new developments should avoid loss or damage to high quality soils where possible and minimise loss or damage where this can be shown to be unavoidable.
- 7.171 The detailed soil and Agricultural Land Classification (ALC) identifies land as being either Grade 1, 2 or 3. Grade 3 land is subdivided into Subgrade 3a (good quality land) and Subgrade 3b (moderate quality land). Land which is classified as Grade 1, 2 and 3a in the ALC system is defined as best and most versatile agricultural land (BMV).
- 7.172 The proposed development would result in a permanent loss of 69.5 ha of agricultural land, of which 47.2 ha is Grade 3b, 17.5 ha is BMV Subgrade 3a and the remaining area is Grade 4 (poor quality).
- 7.173 The ES states that the sensitivity of subgrade 3a BMV agricultural land as medium, and the magnitude of change, following mitigation, is small. Therefore, there will be a direct, permanent, long-term minor to moderate adverse residual effect on BMV agricultural land which is not significant. This is because of the implementation of mitigation measures which include the re-use as much of the surplus resources on site in the detailed design of the green infrastructure.
- 7.174 Natural England has reviewed the proposals and have raised no objections. It is not considered that the proposed development would cause significant harm to high quality soils. Nonetheless, the loss of agricultural land is still an adverse impact to weigh in the balance.

### **Climate Change**

- 7.175 The NPPG explains how the Climate Change Act 2008 establishes a legally binding target to reduce the UK's greenhouse gas emissions by at least 80% in 2050 from 1990 levels. To drive progress and set the UK on a pathway towards this target, the Act introduced a system of carbon budgets including a target that the annual equivalent of the carbon budget for the period including 2020 is at least 34% lower than 1990.
- 7.176 Policy CP1 of the CS requires new development to minimise consumption of energy and incorporate renewable and low carbon energy generation. An initial target of 10% decentralised and renewable or low carbon energy, subject to feasibility and viability, will be sought on non-residential schemes above 1,000m<sup>2</sup>. Use of local and recycled building materials and achievement of a BREEAM rating of at least "very good" for non-residential development is also stated.
- 7.177 The applicant has submitted a BREEM and sustainability assessment. The assessment has been structured in accordance with the desire to achieve an energy efficient development. Mitigation measures to reduce the greenhouse emission
- 7.178 The ES identifies the sensitivity of climate as high. The ES has looked at embodied carbon (carbon emissions associated with materials production, transport and assembly); construction transport; operational building emissions (associated with the energy used for heating, cooling, lighting and ventilation); and operational transport. The comparison between the baseline scenarios with the scenarios including the development provides the magnitude of impact and the significance of the effects.
- 7.179 The ES explains there is currently no guideline for assessing the magnitude of impact of construction and operational phases, therefore the Royal Institute of British Architects (RIBA) 2030 Climate Challenge target of 143,535 carbon dioxide equivalent (tCO<sub>2</sub>e) metric has been used to assess the magnitude of impact for the embodied carbon. The embodied carbon generated by the proposed development is 121,550 tCO<sub>2</sub>e which is below the RIBA 2030 target.

- 7.180 The ES identifies the sensitivity of climate change as high. In terms of embodied carbon, construction transport, operational building and operational transport associated with the proposed development, the ES states the magnitude of change, following mitigation, would be negligible. Therefore, there is likely to be a minor adverse residual effect on climate (not significant) following the implementation of mitigation measures. The mitigation measures proposed include less energy intensive materials, use of local suppliers to minimise transport-related emissions, a CEMP designed to minimise impacts of the proposed construction work such as a waste management plan, the use of renewable technologies and a travel plan.
- 7.181 The ES also identifies enhancement opportunities which include electric vehicle charging points for freight vehicles, which the applicant has agreed to supply, in support of policy CP1 of the Core Strategy. The proposed elevations do not show any solar panels on the buildings, although this is indicated as a goal within the ES. The curved roof of the full element means this may not be practical, but there may be opportunities on the outline element. The scheme does propose a sustainable drainage scheme proposing surface water run-off to existing watercourses which again supports policy CP1 in resource management.
- 7.182 The proposal will incorporate some energy saving measures however there would nonetheless the impact on climate change is still adverse and has to be considered in the planning balance.

### **Heritage**

- 7.183 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.184 Paragraph 198 of the NPPF states local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
- 7.185 Paragraph 189 of the NPPF states local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 7.186 Paragraph 190 states local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 7.187 Paragraph 192 of the NPPF states in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets
- 7.188 Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.189 Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

7.190 Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

7.191 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

7.192 Policy CP1 in the Core Strategy requires new development to safeguard and enhance the built and historic environment, and to take full account of archaeological remains and, where it is demonstrated that preservation is not feasible, that adequate provision is made for the excavation and recording.

7.193 Policy CQL4 of the Core Strategy states the Council will protect, conserve, preserve and enhance St. Helens historic built environment and landscape character including designated and undesignated heritage assets. It should be of a high standard of design, reinforcing St. Helens' local distinctiveness; and ensuring that all development is located and designed in a way that is sensitive to its historic landscape and setting and retains or enhances the character and context.

7.194 Saved policy ENV23 of the Unitary Development Plan states in considering development proposals affecting archaeological sites or remains the Council will require developers, to take full account of known or anticipated archaeological remains in their proposals and normally resist any proposal adversely affecting a Scheduled Ancient Monument and normally refuse planning permission if in the opinion of the Council, insufficient information is provided to determine the archaeological impact or development; the development would prejudice the preservation of archaeological features where they are found; in those situations where preservation is not feasible, adequate provision has not been made for the excavation and recording of the site.

7.195 Saved Policy ENV25 in the UDP states that the Council will seek to protect Listed Buildings and their settings from harmful development.

7.196 The application is supported by a Historic Environment Desk-based Assessment (HEBDA) which has informed the ES. The ES has considered the proposed development site as a whole.

7.197 A total of 57 heritage assets have been identified within the study area, 15 of which are statutory designations (5 scheduled monuments and 10 Grade II listed buildings). All designated assets are located outside of the application site. Of the 42 non-designated heritage assets identified, four are located within the application site.

7.198 A total of 3 designated assets and 3 non-designated assets have been identified within the ES as being key sensitive receptors. The HEBDA and ES explain the significance and value of the asset along with the value of the setting. These will be assessed below.

***Harm to Old Bold Hall moated site, Bold***

- 7.199 The 'Old Bold Hall' moated site (a scheduled monument) is the closest designated asset, located around 300m to the west of the application site.
- 7.200 The monument comprises a moated site, the island of which is now partially occupied by a 20th century farmhouse and garden. It was formerly occupied by Old Bold Hall. The moat is dry and has been partially in-filled but the site retains a bridge and gate piers which are grade II listed. Old Bold Hall moated site has a group value in terms of setting as it sits within the site of the Medieval and Post-Medieval Park within which lies Booth's Wood, both of which are non-designated assets.
- 7.201 The present setting of this asset has been encroached upon by the construction of the M62 to the north, the Mersey Valley Golf and Country Club to the south and the Omega development from the east. Furthermore, trees now cover much of the northeast of the asset, thus affording some screening. The contribution of the setting to the significance of the asset has therefore been identified as moderate within the HEBDA.
- 7.202 The contribution of the setting of the cultural heritage asset to its significance would be reduced as a result of the proposed development. The removal of parts of Duck Wood, and other landscape features that form part of the Medieval and Post Medieval Park would create indirect impacts to the setting of the asset, by not only removing a feature of the former parkland, but also removing an area of woodland presently screening views to the east. The maximum height of the development, unit 1 at 41.6 metres and up to 19 metres with the outline units would be clearly visible. The proposal does involve the retention of part of Duck Wood along the eastern boundary and a landscape mitigation area to the north west. However, the level of harm caused by the proposed development on the setting has been identified as adverse as relevant setting characteristics can still be appreciated but less readily.
- 7.203 The ES states there would be a moderate adverse residual effect (significant) during the construction phase and during operation a moderate adverse residual effect (significant) following the implementation of mitigation measures which is landscaping.
- 7.204 The impact would therefore be significant such that significant weight should be ascribed.

***Harm to the Grade II listed Farmhouse at former Bold Hall Estate and Grade II listed Farm outbuilding, formerly Stables, at Former Bold Hall Estate***

- 7.205 These three Grade II Listed assets lie north of the application site and date from the early-mid 18<sup>th</sup> century. They have been assessed together as they were all formerly part of or connected to the now demolished Bold Hall.
- 7.206 The HEBDA notes that the landscape setting has changed through the amalgamation of fields, construction of the M62 motorway and existing Omega site within Warrington, however views south and south-east, still look on mostly open fields.
- 9.207 The contribution of the setting to the significance of the asset has been identified as moderate within the HEBDA. The proposed development would cause further adverse harm to the setting as the height and scale of the proposed development will dominate the view.
- 7.208 The ES states there would be a moderate adverse residual effect (significant) during the construction phase and during operation a minor adverse residual effect (not significant) following the implementation of mitigation measures which is landscaping along the northern boundary.

**Council's Assessment**

- 7.209 The Council's Conservation Officer generally agrees with the assessment reached within the HEBDA regarding the contribution made by setting and the level of harm caused to designated assets by the proposed development. In terms of harm to Old Bold Hall moated site, the officer

is of the view that whilst the buildings would be visible the level of harm to the setting because of the distance will only be minor which is categorised as less than substantial harm.

7.210 Overall the Conservation Officer considers the proposed development would only likely lead to a low level of harm and less than substantial harm as identified by paragraph 196 of NPPF.

7.211 Historic England is statutory consultee. The initial comments requested clarity over the exclusion of a scheduled monument 'Old Moat House Medieval site. The applicant clarified that the exclusion of the was due to the proposed development being assessed as having less than substantial harm (minor) to the asset. Historic England accepted this explanation and have advised that the development will have minimal impact on key designated assets or their settings.

7.212 The recorded non-designated assets relate to a mix of above and below ground assets identified within the HEBDA. The key sensitive receptors are the Site of Medieval and Post-Medieval Park and sites of potential archaeological interest were Booth's Wood, possible ancient woodland, site of "Big Dam" and an area of former ridge and furrow.

7.213 The ES recommends a programme of historic environment field survey (archaeological investigation) to identify any surviving boundary features of the Medieval Park and Booths Wood, and to investigate whether any archaeological features survived in the others.

7.214 On the advice of the archaeologist from MEAS, the applicant submitted a 'archaeological works (field survey)'. MEAS and Historic England have reviewed the report and commented to say no further archaeological works are required

### Conclusion

7.215 The harm caused to the setting of the listed buildings and the Old Moat would be contrary to policies ENV25 and CQL4. It also means that there is conflict with Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 because the development would fail to preserve the setting of two listed buildings. Consequently, the harm caused to the setting of the listed buildings should be given significant weight against the proposed development.

### Air Quality

7.216 Paragraph 181 of the NPPF states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

7.217 The NPPG advises that the 2008 Ambient Air Quality Directive sets legally binding limits for concentrations in outdoor air of major air pollutants that affect public health such as particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>).

7.218 As well as having direct effects, these pollutants can combine in the atmosphere to form ozone. Odour and dust can also be a concern, for example, because of the effect on local amenity.

7.219 Poor air quality can have health impacts, as reflected in the EU Limit Values referred to above. The Limit Values are annual mean concentrations of 25ug/m<sup>3</sup> (micrograms per cubic metre) for PM<sub>2.5</sub> and 40ug/m<sup>3</sup> for both PM<sub>10</sub> and NO<sub>2</sub>. The annual mean should be applied at locations where members of the public might be regularly exposed to, such as the building facades of residential properties, schools, hospitals etc. If the pollutant level is below the EU Limit Values then it is largely regarded that there is an acceptable impact on health.

- 7.220 The NPPG states that air quality may be relevant to a planning decision if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor, particularly if it could affect the implementation of air quality strategies and action plans and/or breach legal obligations (including those relating to the conservation of habitats and species).
- 7.221 Policy CP1 of the Core Strategy requires new development to minimise and mitigate against the effects of air pollution, smells and dust. Development that is located within or would impact on AQMA's will require special consideration with regard to their impacts on air quality.
- 7.222 The application includes an Air Quality Assessment (AQA) which assesses the air quality impacts from the generation and dispersion of dust and particulate matter (PM<sub>10</sub>) generated during the construction phase of the development as a whole and the air quality impacts from the operational phase of the proposed development as a whole, particularly in relation to vehicle exhaust emissions and changes to local concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>. The AQA also considers the cumulative air quality impacts associated with other committed developments. The AQA models the air quality impacts at sensitive receptors 350 metres from the boundary of the application site, which includes land which falls within the Boroughs of St Helens and Warrington. The application site is not situated within an AQMA in St Helens, however, the north east corner is adjacent to the 'Motorway AQMA' in Warrington.

*Construction Phase (full and outline)*

- 7.223 In relation to the construction phase, the extent of the study includes areas within 50 metres of the routes to be used by construction vehicles and up to 500 metres from the application site entrance(s). The Institute of Air Quality Management (IAQM) assessment methodology was used to determine the potential dust emission magnitude for dust and PM<sub>10</sub> associated with earthworks, construction and track-out activities.
- 7.224 During the construction phase, the potential for dust generation magnitude is defined as 'large' for all these activities. The AQA identifies the prevailing wind conditions as being from the north and south-west. There are less than 10 sensitive receptors within 100m of the site boundary and between 10 and 100 within 350 metres, of which the majority are classed as medium sensitivity, as they are designated as 'places of work'. There is one highly sensitive receptor identified, which is 'Stepping Stones Day Nursery' which is to the eastern boundary.
- 7.225 Taking into account the primary construction traffic route and buffer zones, the surrounding area is identified in the ES to be 'low' with respect to dust soiling and human health impact according to the IAQM construction dust guidance. There is the potential for adverse impacts from dust and particulate emissions to occur intermittently during the construction phase, therefore it is recommended that subject to dust mitigation measures which could be included in a CEMP, the dust risks could be temporary and not significant. Cumulative effects are deemed to be temporary in nature and could be managed by the measures contained within a CEMP. The Council's Air Quality Officer has reviewed the submission and has raised no objections

*Operational Stage (full and outline)*

- 7.226 The AQA has assessed the existing air quality (2018 baseline) for the study area and predicted future air quality with and without the development in the proposed opening year 2021 and design year 2036.
- 7.227 The baseline data shows there are two exceedances of annual mean NO<sub>2</sub> objective in 2018, which are Union Bridge Farm in St Helens and Travelodge in Warrington in 2018. No further exceedances are predicted in 2021 and 2036 without the development.
- 7.228 The EU air quality objective for annual mean NO<sub>2</sub> is 40 µg/m<sup>3</sup>. When the proposed development is operating in 2021 and 2036, the AQA identifies that all receptors will be below that NO<sub>2</sub> limit. The greatest increase in annual mean NO<sub>2</sub> is predicted to be at 20 Trentham Gardens, Great Sankey in 2021, with a concentration change of 0.3 µg/m<sup>3</sup>, from 15.9 µg/m<sup>3</sup> to

16.2 µg/m<sup>3</sup>. In the design year of 2036, the change is of 0.1 µg/m<sup>3</sup>, from 11.4 µg/m<sup>3</sup> to 11.5 µg/m<sup>3</sup> in 2036. The AQA identifies this impact as negligible.

- 7.229 The EU air quality objective for annual mean PM<sub>10</sub> is 40 µg/m<sup>3</sup>. When the proposed development is operating in 2021 and 2036, the AQA identifies that all receptors will be below the PM<sub>10</sub> limit. The greatest increase in annual mean PM<sub>10</sub> is predicted at 20 Trentham Gardens in 2021 with a concentration change of 0.1 µg/m<sup>3</sup>. The AQA identifies this as negligible. In 2036 the greatest increase in annual mean concentration is predicted at the Travelodge, Warrington, with a concentration change of 0.1 µg/m<sup>3</sup>, from 14.7 µg/m<sup>3</sup> to 14.8 µg/m<sup>3</sup>. Again, the AQA identifies this as negligible.
- 7.230 The EU air quality objective for annual mean PM<sub>2.5</sub> is 25 µg/m<sup>3</sup>. The AQA states all modelled receptors also have a negligible magnitude of change for PM<sub>2.5</sub> in the opening and design years of the development.
- 7.231 The AQA considers the impacts of the proposed development on nearby sensitive receptors and predicts the change in annual mean NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations to be negligible. Short-term air quality objectives are also predicted to be met. Therefore, the AQA concludes the predicted local air quality effect associated with the operation of the proposed development is not significant.
- 7.232 Sensitivity tests have also been undertaken. The AQA predicts one receptor (Travelodge), which falls within the 'Motorway AQMA' boundary, will experience a moderate adverse impact in 2021 and 2036. However, the AQA states that given the nature of the property (a hotel), occupants are unlikely to be exposed over an annual averaging period. The AQA concludes that the impacts of the proposed development on the remaining nearby sensitive receptors are predicted to be negligible and that the predicted local air quality effect associated with the operation and other committed developments is not significant.

#### *Cumulative effects*

- 7.233 The ES identifies the cumulative effects during the construction phase as being temporary, local and overall not significant. The results of the air quality assessment completed for the operational phase are considered to be representative of a cumulative effects assessment, the findings of which were identified to be not significant.
- 7.234 The AQA concludes the overall predicted local air quality effect associated with the operation of the proposed development is not significant and therefore it is not considered necessary to specify any mitigation measures in order to reduce impacts on local air quality. However, it does outline opportunities for enhancement. These include the provision of Electric Vehicle (EV) 'fast charge' points and improvements to cycling and walking infrastructure.
- 7.235 The Councils Air Quality Officer has reviewed the AQA and considers the assessment methodology to be robust, best practice and consistent, and therefore the conclusions drawn reliable. The development will still have a detrimental impact on air quality, although small, in opposition to the overall aims of air quality action plans for St Helens and Warrington. Given that there is an overall detrimental impact on air quality, it is in the interests of protecting the environment and air quality that the enhancement opportunities are included within the development.
- 7.236 The enhancements proposed include the support for and promotion of car clubs for employees which can be secured through the travel plan as well as improvements to cycling and walking infrastructure. The proposals include 39 spaces reserved for future EV parking spaces, which the Councils Air Quality Officer has raised no objection to subject to securing through a condition.
- 7.237 However, the proposed development would cause some harm to air quality in certain locations, which must be weighed against the proposed development. However, the proposed development would not cause any exceedances of EU Limit Values in 2030 or have a

significant effect overall. Accordingly, the proposed development would comply with the relevant sections of policy CP1 and the NPPF.

### **Transport, Traffic and Highways Safety**

- 7.238 Paragraph 111 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.
- 7.239 Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.240 Paragraph 103 of the NPPF paragraph 34 of the NPPF states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.
- 7.241 Paragraph 108 states that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the highway network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 7.242 Paragraph 106 states maximum parking standards should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in a location that is well served by public transport.
- 7.243 Policy CSS1 states that the main focus for economic development will be previously developed land in sustainable locations within the M62 link corridor and Haydock Industrial Estate because of their proximity to the primary and strategic road network. The policy also states that the following regeneration activity will be supported: better links between areas of deprivation and economic development by promoting activity on sites within or in close proximity to areas of deprivation or those with good public transport access, and measures for improving links between employment and residential areas.
- 7.244 Policy CP2(1) states that new developments will be expected to locate to sites where there is the potential for users to walk or cycle to the site and/or the provision of cycle and walking facilities within the site, and/or the improvement of routes or facilities which serve the site and, locate to sites where there is good access to the public transport network and/or the provision of public transport facilities within the site and/or the improvement of public transport facilities which serve the site.
- 7.245 Policy CP2 (3) states that new developments will be expected to: provide safe and adequate vehicular, cycle and pedestrian access to and from and circulation within a site, provide adequate on-site parking that does not exceed the Council's maximum standards, only take direct access from the primary route network where it does not restrict the capacity of the road or its intended purpose and where a reasonable alternative exists direct access will not be permitted.
- 7.246 Policy CP2 (4) states that significant generators of traffic should be: located within 800m or 400m of safe and convenient walking distance of stations and bus stops serving a high frequency route respectively, located on sites which are served by rail or where rail facilities can be provided as part of the development or where this option is not available locating where there is a good access to a road designated as a Freight Priority Route.

- 7.247 Policy BFP SN1 Bold Forest AAP Policy BFP SN1 requires development to contribute positively to the development of the Bold Forest Park, avoid the loss of critical infrastructure and include measures to enhance connectivity between the urban area and the Park.
- 7.248 Policy BFP INF6: Creating an Accessible Forest Park looks to see the network of routes both enhanced and protected.
- 7.249 A Transport Assessment (TA) is included within the ES which assesses the impacts of the development, as a whole (full and outline) on the local highway network. The TA has been reviewed by Highways England, and Mott MacDonald on behalf of the Council.
- 7.250 The application site is within St Helens, however the site is only accessible via the Omega development in Warrington. It is proposed that vehicular access to the proposed development would be from Catalina Way, via Omega Boulevard and Skyline Drive from the M62 Junction 8, and from the Omega Boulevard / Orion Boulevard roundabout to the south. All HGV traffic to/from the site will be via Skyline Drive, which connects to the M62 Junction 8. No HGV traffic will be routed via Lingley Green Avenue to the south.
- 7.251 Within the Omega site in Warrington, planning permission has been granted for a B1 employment land (59,456sq.m) use at zones 1-2, close to junction 8. The TA and ES have been assessed solely on the basis that should the proposed development be accepted and permission granted, then the B1 proposal at zones 1-2 would not be implemented by the applicant. This will be discussed in further detail below under trip rates.

#### *Traffic and Access*

- 7.252 Whilst the application site falls within St Helens the vehicle access into the site is via Warrington. The TA has considered the impact of the proposed development at the following links and junctions.
1. Burtonwood Road / Lockheed Road roundabout;
  2. M62 Junction 8 signalised gyratory;
  3. Burtonwood Road / Charon Way signalised junction;
  4. Burtonwood Road / Kingswood Road signalised junction;
  5. Burtonwood Road / Westbrook Way roundabout; • Skyline Drive / Fairchild Road priority junction;
  6. Omega Boulevard / Catalina Way roundabout; and
  7. M62 Junction 8 merge and diverge slip roads and proposed new roundabout.
- 7.253 The TA has derived the vehicle trips generated for the site from surveys of operational B2 and B8 sites within the wider Omega development as well as the removal of the consented B1 office use within zones 1-2 and replacement with residential development. Trips have then been assigned to the local network based on online route planning based on the quickest routes. Mott MacDonald, who are the Councils retained highway consultants, consider the proposed methodology to be appropriate.
- 7.254 The proposed development will generate a total of 239 and 339 two-way car trips in the AM and PM peak hours. Furthermore, the tables also show that the development will generate a total of 226 and 210 two-way HGV trips in the AM and PM peak hours. The proposed development will therefore introduce more vehicles on the highway network.
- 7.255 Access to the application site will be via a new site access roundabout off Catalina Way and will serve the full and outline element of the scheme. Mott Macdonald have advised that the design of the proposed roundabout is appropriate and the junction will operate within capacity during

the AM and PM peak hours. It is also forecast to operate well within capacity in relation to any expansion of development and increase in traffic.

- 7.256 For M62 J8 there will be an increase in traffic at the existing signalised gyratory. A mitigation scheme has been proposed to accommodate alterations in traffic demands which includes road markings and lane allocations. Highways England has confirmed they are content with the proposed scheme and the replication of the scheme in the associated modelling.
- 7.257 The junctions listed in paragraph 2.253 above are all within Warrington, and subject to local highway authority control. Warrington Council has raised no objection subject to conditions to ensure highway impacts upon the local highway network and amenities of local residents and adjoining businesses are adequately addressed.
- 7.258 The ES states the impact of the development has been identified at each of the junctions on the local study network and that the majority of the junctions assessed are operating within capacity following the addition of traffic generated by the proposed development, other committed developments and development associated with the wider Omega site. It is worth noting that as part of the Omega Zones 3-6 TA, proposals to alter the geometry of the Burtonwood Road / Westbrook Way roundabout were agreed with Warrington Borough Council and these proposed works have been taken into consideration with the assessment of the proposed TA with this application. Highways England have raised no objections.
- 7.259 The application site would have good access to a road designated as a freight priority route, the M62. Overall, the proposed development would support the aims of policy CP2.

#### *Sustainable Location*

- 7.260 The TA states that the new development will be fully accessible by all current modes of transport, however on review of the information provided within the TA this is not considered to be a valid analysis. The TA mapping system indicates that accessibility to the site on foot is limited due to its relatively rural location on the outskirts of Warrington. Whilst there is a public right of way (no.102) which provides access to St Helens located in the north west and south west, the location of the site on the outskirts of the Omega site means that residences in St Helens are at least 30 minutes on foot. The cycle provision has been shown to be within reasonable distance, however the public right of way only has status as a footpath and therefore cannot be legally used by cyclists. Furthermore, the existing footbridge over the M62 is stepped and not ramped. In terms of bus links, the nearest existing bus stops are located on both Omega Boulevard and within the Lingley Mere Business Park, but these lie outside the preferable maximum 400m (5 minute) walking distance.

#### *Cycle and Walking*

- 7.261 The applicant proposes to improve public transport by providing a cycle link through the site connecting to the bridge over the M62 and part of the existing public right of way through the site. The options of upgrading the bridge over the M62 and improving the public right of way was explored however, due to issues raised above, as well as problems with land ownership, lighting requirements it was not considered to be a feasible option. The link is still proposed as it will still provide an important east west link within the wider footpath network by improving linkages within Bold Forest Park area which supports policy SN1.

#### *Buses*

- 7.262 It is proposed to improve the public transport provision by diverting the existing B52 Omega funded bus service into the application site. This bus service aligns with the shift patterns for Omega and therefore the application site. Provision for re-routing the service and additional stops is welcomed. A financial contribution has been secured through a planning obligation to enable this.

7.263 An extension to an existing bus service has been explored and Merseytravel concur it is a feasible option. If extended, it could extend from an appropriate area in St Helens to the application site. The applicant has agreed to a contribution of £750,000 which will be secured through a planning obligation. Whilst a bus number and bus operator has been identified in this report, due to the current covid 19 crisis and uncertainties for some operators, the bus number and frequency would not be written in any Heads of Terms. Merseytravel is however confident that there would be some service running. The location of the bus stops can be secured by condition to ensure they are within the 400 metres of the application site.

7.264 A Travel Plan is proposed, the measures of which are supported with the details to be secured through condition.

7.265 Although not straight forward, the site does lie within walking and cycling distance of areas of St Helens such that the option to gain access into the site via foot is still available. The extension of an existing bus service could directly link the site with St Helens, and is intended to be running on the opening day of unit 1. This would comply with policy CP2 of the Core Strategy and the NPPF.

#### *Parking*

7.266 The parking proposals for the full element (unit 1) specifically respond to the requirements of the identified occupier, peaks in shift patterns and the increased use of robotics. The level of parking provision, which includes lorry parking and electric charging points, would most likely prevent queuing or parking on the local highway network in the vicinity of the site is considered to be acceptable.

7.267 The level of car parking and cycle parking is not for consideration for the outline element of the scheme. A condition is recommended which requires the levels of parking shown in any reserved matters application to be justified.

#### *Construction Environmental Management Plan (CEMP)*

7.268 The full element of the application is supported by an infrastructure CEMP and detailed CEMP which looks at construction of the access junction (site roundabout) and construction of a temporary haul road into the site and the detailed construction of unit 1.

7.269 Subject to further details of compound sites and wheel washing which can be secured through condition the information provided within the CEMP is considered robust.

#### *Summary of Transport Impacts*

7.270 The proposed development would introduce additional vehicles onto the road network, however it has been demonstrated that there is capacity within the network and junctions, subject to mitigation measures for J8 of the M62. Additional public transport commitments will be required to ensure appropriate access to and from St Helens to ensure that opportunities for improving sustainable transport to the site are enhanced.

7.271 The proposed development is considered to comply with the relevant parts of the NPPF and policy CP2 of the CS.

#### **Noise and Vibration**

7.272 Policy CP1 requires that new developments are sympathetic to the surrounding land uses and occupiers, avoiding detrimental impacts on the amenities of the local area, in particular residential amenities. The policy also requires that new developments minimise and mitigate the effects of pollution.

7.273 Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential

sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum, potential, adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

- 7.274 The NPPG states that local planning authorities taking decisions should take account of the acoustic environment and in doing so consider: whether or not a significant adverse effect is occurring or likely to occur; whether or not an adverse effect is occurring or likely to occur; and whether or not a good standard of amenity can be achieved.
- 7.275 A significant observed adverse effect level is defined as the level of noise exposure above which significant adverse effects on health and quality of life occur. At this level, the NPPG states that the noise causes a material change in behaviour and/or attitude, for example, having to keep windows closed for most of the time or avoiding certain activities during periods when the noise is present.
- 7.276 The NPPG states that there is potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep, and that quality of life is diminished due to a change in the acoustic character of the area. The NPPG states that this level of impact should be avoided, and that any impacts below this level should be mitigated and reduced to a minimum.
- 7.277 The extent of the study area for the noise assessment submitted by the applicant extends 300 metres from the application site boundary to include the closest existing noise-sensitive receptors. A baseline noise survey was undertaken first to establish the prevailing daytime and night-time background noise levels. This identified the noise environment that is currently dominated by road traffic noise, including that from the M62 motorway to the north.
- 7.278 The report then presents an assessment of effects associated with the construction phase (noise and vibration) and the operational phase (traffic generated noise and site operations) following modelling of relevant activities associated with each phase of the development. As the application is hybrid, the assessment is based on the proposed masterplan for the detailed element, and the indicative masterplan of the outline element.
- 7.279 With regards to the operational site noise, a number of scenarios have been presented in the modelling, namely units operating for the purpose of ambient goods, chilled goods and chilled goods with mitigation. This has been provided to allow the proposal to be assessed on the basis of best and worst case scenarios. The levels of noise generated from the specific units will be dependant upon their future occupants which is not known at this stage.
- 7.280 The closest noise sensitive receptors to the application site have been identified as residential dwellings at 'Old Hall Farm' in St Helens, residential dwellings at Bembridge Close and 'The Stepping Stones Children's Day Nursey' both of which are in Warrington.
- 7.281 The findings are presented below along with the mitigation. Mitigation proposed for outline could be subject to change and therefore would be the subject of a condition.

*Old Hall Farm (construction and operation)*

- 7.282 The dwellings at Old Hall Farm would be subjected to construction noise, however, the levels would be low due to the separation distance to the application site which is over 480 metres. Furthermore, the construction noise criteria, determined in accordance with applicable guidance (BS 5228-1), would be complied with by significant margins of between 19 and 28 decibels (dB). The assessment has identified that due to the separation distance to the application site boundary no significant effects would arise as a result of construction vibration.
- 7.283 The dwellings at Old Hall Farm would be subject to industrial / commercial noise from the development once operational, but levels would be dependent upon the nature and intensity of operations undertaken as well as the final layout design for the outline planning application site.

7.284 It has been identified that noise levels generated for ambient goods operations would be 3.0 dB below the daytime background sound level and 1.0 dB below the night-time background sound levels. A negligible (not significant) impact on residential amenity is therefore identified. For chilled good operations, the noise levels would be 2.4 dB above the daytime background sound level, and 4.4 dB above the night-time background sound level. For the daytime this would not be significant, however, in the night-time there would be significant effects on amenity. The proposed mitigation measures involve a series of noise barriers of varying heights. It would not eradicate the noise altogether so there would still be a minor adverse, not significant effect to these residents.

7.285 Appropriate limits have been determined for noise from any future fixed/mechanical plant. Compliance with these limits could be ensured through the use of a planning condition.

*Dwellings at Bembridge Close (construction and operation)*

7.286 The dwellings at Bembridge Close would be subject to construction noise, however, the levels would be low due to the separation distance to the application site which is over 342 metres. Furthermore, the construction noise criteria, determined in accordance with applicable guidance (BS 5228-1), would be complied with by significant margins of between 17 and 27dB. The assessment has identified that due to the separation distance to the application site boundary no significant effects would arise as a result of construction vibration.

7.287 The dwellings at Bembridge Close would be subject to industrial / commercial noise from the development once operational, but levels would be dependent upon the nature and intensity of operations undertaken as well as the final layout design for the outline planning application site.

7.288 It has been identified that noise levels generated for ambient goods operations would be 5.3dB below the daytime background sound level and 0.3dB below the night-time background sound levels. Therefore, a negligible (not significant) effect on amenity is identified. For chilled good operations the noise levels would be 0.3 dB above the daytime background sound level, and 5.3 dB above the night-time background sound level. For the daytime the effect is minor (not significant), however in the night-time the increase would result in a significant effect on amenity.

7.289 The proposed mitigation measures to reduce operational noise levels at this receptor include a 3m high noise barrier south of units 3 and 4 with chilled goods prohibited from using or accessing the eastern side of Unit 3.

7.290 There is likely to be a direct, permanent, local, long-term, minor adverse effect on the dwellings at Bembridge Close. This is not considered to be significant. There are no requirements for additional monitoring at this receptor.

*Children's nursery (construction and operation)*

7.291 The nursery would be subject to construction noise, however, construction noise criteria would be complied with. The possible exception would be during any periods when particularly intensive works are required immediately adjacent to the application site boundary closest to this receptor. It should be noted that such intensive works would be of short duration. The final noise levels that will arise will be dependent upon the final layout for the outline element. However, given the margins of noise compliance and mitigation measures proposed, the noise assessment considers the resulting effects could be controlled. The Council's Noise Officer is satisfied that the measures can be secured through a condition for the outline element.

7.292 The nursery would be subject to ground borne vibration as a result of works associated with the construction programme. The potential for significant effects is only identified for driven piling works. Dependant on the type of piling method used for the construction of the outline application a further review of methods and any appropriate mitigation will be determined through a condition.

7.293 The nursery would be subject to industrial / commercial noise from the development once operational, but the specific levels will be dependent upon the nature and intensity of operations

undertaken as well as the final layout design that is brought forward for the outline planning application site.

- 7.294 If there is ambient operation from the proposed warehouses then there would be a 1.9 dB increase above the external noise level and if there are chilled goods there would be a 8.7 dB increase above the external noise level criteria, both of which are moderate but significant effects. The proposed mitigation measures for ambient operations is a 1.4 metre high noise barrier along the east of unit 3. To reduce chilled goods operational noise levels, a 3 metre high acoustic fence along the eastern side of unit 3 is required, along with a condition that prohibits chilled goods using or accessing the eastern side of Unit 3. This is along with various sized noise barriers around the remaining units. The ES concludes that there would be a minor adverse, non-significant impact caused.
- 7.295 Appropriate limits have been determined for noise from any future fixed/mechanical plant. Compliance with these limits could be ensured through the use of planning conditions.

#### *Traffic Noise*

- 7.230 The results of the TA have been used as the basis for determining the change in noise levels that would arise on the local road network as a result of development generated road traffic noise. The roads reviewed include Burtonwood Road (North and South), Skyline Drive, Omega Boulevard, Catalina Way and M62.
- 7.231 The assessment finds that there is the potential for increased noise levels at receptors adjacent to the existing local highway network as a result of the development generated road traffic movements to and from the proposed development. However, the routes where noise sensitive receptors are presented resulting noise level changes would be small and not significant.

#### *Hours of construction*

- 7.232 The noise assessment has been based upon the proposed construction working hours of 07:00 to 19:00 hours from Monday to Friday and 07:00 to 14:00 hours on Saturdays with no working on Sundays or Bank Holidays.
- 7.233 The applicant submitted a CEMP during the course of the application which also set out a number of exclusions of work outside of these hours which the applicants considered are necessary in order to reach the timescale.
- 7.234 These exclusions are a concrete pour which would occur between 07:30am to 6:00pm, followed by additional curing between 12:00pm to 05:00pm; and then power floating between 05:00pm to 05:00am.
- 7.235 Due to applicants target of achieving an operational date of September 2023 for the full element, 24 hour, 7 day works will be required for the internal fit out of unit 1, expected to commence in January 2022 and be completed in August 2023.
- 7.236 The Council's Noise Officer has advised that the construction hours proposed for unit 1 are reasonable however hours of construction for the outline element should be reduced, given the closer proximity to residential receptors.

#### *Cumulative effects*

- 7.237 Omega Zone 3-6 is a mixed-use development including residential development (1100 units) located 830m to the east of the application site; and Lingley Mere is a residential development (275 units) located 400m to the east of the application site. Both are currently under construction.
- 7.238 The ES states that the separation distance between Omega South Zone 3-6 and the application site is large enough to discount noise and vibration cumulative impacts from either construction or operation phases.

- 7.239 The potential for cumulative construction noise impacts at the Children's Day Nursery and dwellings at Bembridge Close should the construction phase of the outline planning application site overlap with the Lingley Mere development, is considered unlikely as Lingley Mere is already under construction and occupiers for the outline planning application site are not known. Taking this and the separation distances between the developments, the potential construction noise cumulative impact is not considered to change the conclusions of the assessment.
- 7.240 There is potential for a cumulative noise impact at the Children's Day Nursery and at Bembridge Close dwellings following occupation of the Lingley Mere development and after the proposed development becomes operational. However, due to the scale of the Lingley Mere development, the separating distance between noise sources, the potential operational noise cumulative impact is not considered to change the conclusions of the assessment.

#### *Conclusion*

- 7.241 Subject to the recommend conditions, the noise effects of the proposed development would not have a significant effect on the amenity of the residents at the nearest residential properties and other sensitive noise receptors, in accordance with Policy CP1. However, it is acknowledged that some harm would be caused by additional noise and this should weigh against the proposed development.

#### **Ecology**

- 7.242 Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 7.243 Paragraph 175 states that when determining planning applications, local planning authorities should refuse permission if significant harm to biodiversity cannot be avoided or adequately mitigated; or, as a last resort, compensated for and opportunities to incorporate biodiversity improvements in and developments should be encouraged, especially where this can secure measurable net gains in biodiversity.
- 7.244 Policy CQL3 reflects this, but also requires that all development proposals are based on ecological assessments where appropriate and that developments affecting protected species will only be acceptable if there is clear evidence that the development outweighs the nature conservation interest. Policy CQL3 and states that the Council and its project partners will, within a woodland and farming framework, enhance biodiversity in Bold Forest Park by developing an ecological network which reduces habitat fragmentation and increases the resilience of wildlife in the Forest Park.
- 7.245 Policy CQL2 states that the multipurpose value of tree, woodlands and hedgerows will be protected and enhanced by:
- Requiring developers to plant new trees, woodlands and hedgerows on appropriate sites;
  - To conserve, enhance and manage existing trees, woodlands and hedgerows;
  - Ensuring that development does not damage or destroy any tree subject to a tree preservation order (TPO) or any tree of value unless there is a clearly demonstrated public benefit, and where trees are justifiably lost they should be replaced on at least a 2:1 ratio; and
  - Supporting proposals which assist in the positive use of woodlands for green infrastructure purposes including recreation, education, health, biodiversity and economic regeneration.
- 7.246 Bold Forest Park policy ENV2 compliments wildlife protection set out in Core Strategy. Policy UDP ENV12a and ENV12b aim to avoid the significant loss of trees and incorporation of measures for the successful retention of existing trees. Policy ENV13 aims for trees protection and replacement trees and woodland.

7.247 The application site comprises of arable fields, intersected by a network of ditches, woodland, trees, hedgerows, grassland and ponds. The development will result in a significant loss of these habitats. This network currently links to Booths Wood LWS and to Mersey Valley Golf Course LWS to the south (both off site). They form part of a network of habitats that provide wildlife corridors through the wider arable landscape.

#### *Habitats Regulations*

7.248 The development site is close to protected European sites, one of the closest being Mersey Estuary SPA. The applicant has submitted a Habitats Regulations Assessments which concludes no likely significant effects from the proposed development for both full and outline elements. MEAS has reviewed the HRA and agrees with the conclusions.

#### *Designated Sites*

7.249 There is potential for Booths Wood Local Wildlife Site to be impacted through by construction impacts to trees within the woodland, release of construction related pollutants into the woodland, lighting of the woodland both during construction and operational phases and impacts to woodland from loss of the wider ecological network of woodland, ponds and hedgerows. The ES and submitted CEMP along with a tree protection plan for Booths Wood detail construction phase mitigation measures which will prevent impacts to Booths Wood during construction. MEAS and the Councils Countryside Development Officer have reviewed the submission and have advised that the submission is acceptable.

#### *Surveys under-taken*

7.250 A number of ecological surveys are included in the ES, and have been reviewed by MEAS and Natural England. The surveys show that Great Crested Newts, Badgers, reptiles, wintering birds and water voles are absent from the site. Breeding birds, Brown hares and Purple rampion (plant species) which are all Local and UK Priority Species are on the site and the habitat will be lost. The submitted CEMP sets out how the site will be cleared and suitable protection measures put in place. MEAS has advised that this is acceptable. A planning obligation will secure sufficient funds to either create suitable habitat for farmland species or to enhance existing farmland habitats. The provision of bird and bat boxes on site can be secured by condition.

7.251 MEAS has advised the surveys show that the only protected species to be affected by the development are bats found to be roosting in trees on the site. The proposed development would result in the loss of these trees and consequently the bat roosts. Bats are a European protected species and in accordance with Regulation 53 of the Conservation of Habitats and Species Regulations 2010, a 'three test' assessment is required.

7.252 The first test under Regulation 53(2)(e) is: "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment." The proposals represent a significant economic development within the St Helens area, and it is considered that this test has been satisfied.

7.253 The second test under Regulation 53(9)(a) is "that there is no satisfactory alternative." The ASA and this report consider alternatives to the proposed development. There is a significant need for a development of this scale in St Helens, and this proposal would meet that need. Neither the full or outline element of the development could be disaggregated. In relation to the full element, the size, scale and orientation within the plot is the only viable option. It has been demonstrated that there are no other sites in the urban area that could accommodate this development. It is considered that alternatives have been assessed, and that this test has been satisfied.

7.254 The third test under Regulation 53(9)(b) is "that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status

in their natural range” The ES details soft felling techniques using best practice for the removal of the tree containing the bat roost. Alternative bat roost provision is proposed in the form of bat boxes. By applying the mitigation/compensation recommended in the biodiversity chapter is implemented, then this test would be satisfied

#### *Bio-diversity Net Gain*

- 7.255 The Environment Bill requires a specific figure for the level of biodiversity net gain required, in this case it is likely to be 10%. However, the Bill has not yet been enacted. Paragraph 170 of the NPPF requires biodiversity net gain to be clearly demonstrated, even though an amount is not quantified.
- 7.256 The applicant has submitted DEFRA metric spreadsheets for both the full and outline element where an assessment of the existing habitats on site have been used to calculate a baseline bio-diversity value. Factors including distance from the development, time for the habitat to mature and the difficulty involved in creating it. The final score is found by subtracting the baseline from the post-development score.
- 7.257 The metrics show losses to woodland, scrub and farmland biodiversity and gains to ponds, tall herb and floodplain wetland mosaic habitat. The metric shows that a total of 22.49 woodland biodiversity units (BU) will need to be provided offsite. This equates to approximately 10 ha of woodland planting. Other habitats which will require off site compensation include scrub habitats (3.22 BU) and farmland habitats. The Biodiversity Net for the full element of the scheme would be - 39 Units and -74.12 Units for the outline.
- 7.258 Significant harm to biodiversity is being caused by this proposal. The applicant has argued in their case for very special circumstances that this cannot be avoided, due to the identified need for the scale and location of the proposed development. The applicant is providing landscaping on site through the Green Wedge in the north west of the site and replacement hedgerows, however the harm cannot be fully mitigated on site. In accordance with the mitigation hierarchy, the applicant has agreed to off-site compensation. The amount is based on the DEFRA calculations and equates to £1,696,800. This can be secured by a planning obligation and could help to fund a variety of appropriate projects such as the creation of new wetlands and pond habitats.

#### *Landscaping*

- 7.259 Broad-leaved woodland falls across the application site, forming distinct woodland blocks, occupying a total area of approximately 61,533 m<sup>2</sup>. All the woodland is local and UK priority habitat and Booth's Wood which sits on the western boundary is also a Local Wildlife Site. All woodland blocks within the application site are covered by TPO's and arboriculturally, are mostly considered to be of 'high quality'.
- 7.260 A permanent loss of woodland and trees totalling an area of 56,339 m<sup>2</sup> would result of allowing the development. Plantation woodland would be retained as part of the ecological/woodland area in the north west of the site and Booths Wood. Based on information submitted with the ES there are no good arboricultural reasons to fell the areas of woodland, it is only necessary to deliver the proposed development. It is considered that the need for this development and the lack of alternatives would justify the loss of the trees, provided that suitable mitigation is provided. The loss of such trees is nonetheless a significant impact to weigh in the planning balance.
- 7.261 The proposed landscaping scheme is to include woodland planting, hedgerows, grassland and wetlands including large SUDS ponds as well as a footpath/cycle path through the site for improved connectivity within Bold Forest. Landscaping is a reserved matter in the outline element, however a parameters plan has been provided. Tree replacement provision in this area will be considered under any reserved matters application. Harm will be caused by the loss of existing woodland and this would be contrary to policy CQL2 and the Bold Forest Park AAP. The level of mitigation on site would not be a direct comparison. The financial contribution

mentioned in paragraph 2.258 will also assist in projects for the creation and enhancement of existing woodland and tree planting.

7.262A Landscape and Biodiversity Management Plan that secures long term management and maintenance of the ecological/woodland area and the proposed on-site mitigation 'Green Wedge' has been provided by the applicant. It is considered that this would provide sufficient mitigation to ensure that harm would not be caused to the priority habitat during the course of construction and operation.

#### *Invasive Plant Species Report*

7.263 Policy CQL 3 of the Core Strategy aims to reduce habitat and species fragmentation by developing a functioning ecological framework for the Borough.

7.264 The invasive species walkover survey of the application site identified two invasive non-native plant species which were Himalayan Balsam and Rhododendron. The applicant has confirmed the removal of the Rhododendron and has supplied a method statement for the removal of the Himalayan Balsam which MEAS consider suitable.

#### *Cumulative Impacts*

7.265 The submitted cumulative impacts assessment looks at the impacts on biodiversity and ecological receptors and includes assessment of Omega South Zone 1-6 and Lingley Mere, and the former Lingley Mere Business Park. The ES concludes that a major adverse effect is predicted on woodland, ponds and hedgerow features, however due to mitigation there will be an overall minor adverse (not significant) effect. This cumulative effect is predicted to be permanent and long term.

7.266 The site is within Bold Forest Park and policy BFP ENV2. The proposal would not meet this policy as it would result in habitat fragmentation and does not safeguard Priority habitats and species highlighted within the Bold Forest Park plan.

#### *Conclusion*

7.267 The proposed development would cause a significant loss of natural habitat for both protected and Local and UK Priority Species which is harmful and does not accord with policies CQL2, CQL3 and BFP ENV2. The applicant has argued in their case for very special circumstances that this cannot be avoided, due to the identified need for the scale and location of the proposed development which will be considered in the planning balance. The applicant will incorporate some ecological mitigation on site and opportunities for landscape enhancement on the site would be provided. However, there would not be adequate mitigated and therefore in accordance with paragraph 175 of the NPPF, as a last resort a compensatory figure has been secured through a planning obligation. There would however, be harm in the planning balance.

#### **Visual Amenity**

7.268 Policy CP1 requires that new developments are sympathetic to surrounding land uses and occupiers, avoiding detrimental impacts on the amenities of the local area, in particular residential amenities. The policy also requires that new developments minimise and mitigate the effects of pollution.

7.269 A Landscape and Visual Impact Assessment (LVIA) has been submitted as part of the ES which analyses the visual impacts of the proposed development, along with additional photomontages requested by the Council. The content of the assessment has been reviewed by the Council and forms the basis of this analysis.

7.270 Within the study area, 12 view points have been taken and a total of 76 individual, or grouped, residential receptors have been identified, 7 PRoW's (footpaths and bridleways), 7 public open space/recreational areas, 10 highways, and 24 commercial properties have been considered. The extent of the study area and the receptors are considered to be reasonable.

- 7.271 The ES has classified the sensitivity of the visual receptors which range from very high sensitive visual receptors, as being residential properties. Then PRoWs and commercial properties as being low, therefore this report has focused on residential.
- 7.272 Given the scale and duration of construction activity, the applicant acknowledges that the effect of the proposed 'embedded' (environmental design) mitigation, namely planting, is unlikely to offer significant screening during both the construction phase and initial years of operation at several receptors.
- 7.273 For the construction stage of the development, the ES has identified residual visual effects at 20 residential receptors as moderate adverse to very major adverse (significant). Visual effects at the remaining 56 residential receptors are considered to be not significant. For the operation phase, 21 residential receptors have been assessed as moderate adverse to very major adverse (significant). Residual visual effects at the remaining 55 residential receptor locations have been identified as not significant. These receptors fall within Warrington and St Helens. Please see plan in appendix B which identifies the receptor numbers.
- 7.274 The greatest visual impacts would be experienced by the occupants of Warrington Road, Old Bold Hall Farm, Lingley Green and Home Farm to the north. The impact on each of these will be considered in turn. It is important to note that there is no entitlement to a view, it is the impact of the change and whether the visual effects of the development are harmful at the identified properties/receptors that must be considered.

*Residential receptors in St Helens*

*Warrington Road*

- 7.275 The residential property at Willow Park (R31) would be 1km from the application site. The property is orientated north/south with current views across agricultural land to site. During the construction phase, the drainage works to the site boundary would be visible within the full element and there would be a view of the construction works within the outline element of the scheme. During the operation stage, unit 1 would be visible between and above Booths Wood and there would be visibility of the outline unit(s) in the southern element. Mitigation planting would reinforce western boundary of site and reduce views to the lower element of the buildings to the south of Booth's Wood. Overall the outlook during the construction and operation of the proposed development would cause significant harm to the outlook of these properties.
- 7.276 Warrington Road runs to the south and west of the application site. The closest residential receptor to the south is South Lodge (R16) which is 924 metres away. South Lodge has distant views with existing woodland screening part of view. The southern buildings within the outline element would be partially visible between woodland to South Lodge during construction and at completion and unit 1 would be visible above trees on skyline at some distance. Further along Warrington Road the ES states there would be no views of the site due to views north-east screened by intervening, mature vegetation. Overall the outlook during the construction and operation of the proposed development would cause significant harm (major adverse) to the outlook of these properties.

*Old Bold Hall Farm and Old Hall Farm*

- 7.277 There are a cluster of properties sited within Old Hall Farm and Old Bold Hall Farm, off Hall Lane which are sited to the west of the application site. Woodland 'Old Hall Plantation' surrounds the northern and western boundary of this cluster of properties. There are outbuildings throughout the site. Three residential receptors (R74, R75 and R76) have been identified. There appears to be another property sited behind R75 and this has therefore assessed for robustness.
- 7.278 Old Bold Hall (R74) is orientated with the front elevation facing south west. It is one of the closest properties to the application site boundary, sited 324 metres away. The ES assessment is that there will be no view of the proposed development in both construction and operation stage due the property being screened by Plantation woodland. Notwithstanding what the ES

states, given the height of the proposed developments there is likely to still be visibility despite the woodland.

- 7.279 The Bungalow at Old Hall Farm (R75) is sited 375 metres away and Old Hall Farm (R76) is sited 486 metres away. The existence of another residential unit within this cluster has also been accounted for. Existing views from these residential developments are primarily across fields towards the southern part (outline element) of the development site with views of Booth's Wood and Duck Wood. All matters are reserved at this stage which includes construction details. However, the indicative masterplan shows potential for three units which could reach 19 metres in height. Booth Wood and part of Duck Wood would be retained along the western boundary and indicative landscape proposes planting of native woodland. Given the scale of the development, the construction phase would cause significant harm to the outlook of these properties. The duration of the harm would be dependant on the form and layout of the outline element harm, but on the basis of the indicative masterplan there would be harm that should be given significant weight against the proposed development. Given the orientation of the properties the views of the full element may not be as prevalent but given the height proposed it is likely that there would be visibility and therefore harm caused.
- 7.280 During completion of the operational phase of the development, the relationship described above would affect the outlook. The immediate outlook would still be across fields and towards Duck and Booth Wood, however the scale and height of buildings would make them visible above and between the retained areas of woodland, as illustrated on the photomontages. The harm caused is likely to be significant (very major adverse and major adverse). Whilst landscaping is proposed it would only mitigate the lower element of any building. The building(s) would still be a large part of the outlook which would cause significant harm (very major adverse and major adverse) and the effects would be permanent. This harm should be given significant weight.

*North of site – Home Farm and Moat House Farm*

- 7.281 On the north side of the M62, off Hall Lane, are a cluster of residential receptors (R66-R71). The ES has identified one of the receptors as commercial (C21), however for robustness this has been assumed to be residential. The closest properties are 'The Bungalow' (R69), 'Home Farm' (R70) and The Coach House (C21) which are between 638-645 metres away from the site. There are currently clear views south across the fields and M62 towards the site. During the construction stage of unit 1, trees would be removed and a cut and fill operation undertaken to make the land east of the site level. The CEMP identifies the use of heras fencing and the first stage of works being the construction of unit 1 building. The scale and footprint of the building means that whilst temporary, the construction phase of the development would cause significant harm (very major adverse) to the outlook of these properties which should be given significant weight against the proposed development.
- 7.282 The construction associated with the outline element would be secured through a planning condition, however, the development of the southern element of the site would be largely mitigated by the TJM building to the front of the site and therefore moderate harm would be caused. Any construction carried out within the expansion land which is adjacent to unit 1 would be clearly visible and would cause significant harm.
- 7.283 The impacts during the operational phase of the development during the day and night would be significant as the building would be clearly visible due to the scale and illumination with the landscaping offering little mitigation. Any building upon the expansion land would also be visible, although views of the operation of buildings to the south of the site would be largely mitigation from view. Consequently, the operational stage of the development would cause significant harm (very major adverse) to the outlook of these properties which should be given significant weight against the proposed development.
- 7.284 The Moat House Farm (R54) is 955 metres north of the site. The current views are across fields and the M62 although some outbuildings form a partial screen. There is visibility of some of the existing Omega buildings. There would be visibility of the construction of unit 1 and any future development within the expansion land although visibility of the outline element to the south

would be obscured. Upon operation the scale and height of unit 1 would be visible both through the day and night due to illumination. It would cause significant harm (very major adverse) to the outlook of these properties which should be given significant weight against the proposed development.

*Residential receptors in Warrington*

*Lingley Green Residential Estate*

7.285 Lingley Green Residential Estate is situated south east of the application site within Warrington and is predominantly two storey properties. Within this estate the closest receptors properties are on Bembridge Close and Park Road. The closest property is no.55 Bembridge Close (R9) which is 345 metres away. The property is orientated with the main elevation facing northeast to existing woodland with clear and open views from the garden and across green open space to the application site. The construction compounds to both the full and outline element would be visible. Unit 1 and building on the outline element would be during construction and operation. The layout and quantity of the southern units within the outline element is only indicative at this stage but the height and proposed minimum floorspace means they would be clearly visible. A landscape parameter plan has been provided which shows a minimum boundary width around the site, however views of the buildings would remain given the scale of the built form ranging from 19 metres for the outline and up to 41.6 metres for the full. There would be significant harm caused to the outlook of these properties and this should be given significant weight in the planning balance.

*Conclusion*

7.286 Harm would be caused to the visual amenity of residents within the vicinity of the site both within St Helens and Warrington. There would be significant harm caused to over 20 properties at the construction phases and over 21 at the operation stage. The harm caused to amenity would be contrary to the requirements of policy CP1 and should weigh against the proposed development. There would be harm caused through construction although it would be temporary. The harm caused during the operational stage would be a permanent effect and the establishment of landscaping would only provide minimal impact in mitigating the harm caused. The harm caused should be given significant weight against the proposed development.

**Landscape Character**

7.287 Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).

7.288 Paragraph 171 states that distinction should be made between the hierarchy of international, national and locally designated sites; so that protection is commensurate with their status and gives appropriate weight to their importance.

7.289 Paragraph 117 in the NPPF states that planning decisions should make an effective use of land, while safeguarding and improving the environment.

7.290 Policy CQL4 states that landscape character will be protected, preserved and enhanced by ensuring all new development respects the significance and distinctive quality of landscape character and that it is of a high standard of design reinforcing the Borough of St Helens' local distinctiveness.

7.291 BFP1 of the Bold Forest Park aims to enhance the landscape character, primarily by increasing tree cover up to 30% of the Forest Park area through seeking additional and/or improved landscaping from new developments

7.292 Policy BFP ENV1 of the Bold Forest Park Action Plan aims to compliment landscape protection measures set out in Core Strategy Policy CQL4. It also endeavours to enhance landscape

character by increasing levels of tree cover up to 30% of the area of Bold Forest Park. Where appropriate, development will be required to contribute to increasing tree cover.

- 7.293 Policy BFP SN2: Planning Obligations, states that “Development will contribute to the infrastructure of the Forest Park. Such infrastructure will include the provision of, maintenance or improvements to, footpaths, bridleways, cycleways and car parks, improvements to signage and interpretive material and mitigation and enhancement for landscape and conservation and biodiversity”.
- 7.294 The full element of the scheme is supported by detailed landscape plans. As the remaining elements of the site are in outline form with all matters reserved an indicative masterplan, a green parameters plan and height parameters are provided.
- 7.295 The LVIA identified the site as being within the National Character Area ‘Mersey Valley’ which is described as a wide, low-lying, river valley landscape focussed on the River Mersey. The LVIA refers to the St. Helens Borough Landscape Character Assessment (LCA) which identifies the application site as being located within landscape character type number 5 ‘Wooded Former Estate’ (WFE), specifically landscape area WFE 4 Bold Hall. Given the scale of the site it also falls within the landscape character area at Clock Face Farming (FF 3) and Bold Heath (FF 4).
- 7.296 The over-arching characteristics of the WFE Bold Hall area are described as flat expansive floodplain landscape with an open rural landscape which is interrupted by a number of mature woodland plantations and shelterbelts which break up the large scale field patterns. Within the open landscape and wider woodland structure, a series of small field ponds are located in the field system, denoted by the associated small woodland groups which punctuate the horizontal landform.
- 7.297 The landscape analysis notes negative features that include the separation and fragmentation by the M62 and some degraded landscape structure with some loss of field boundaries. It also states that whilst the towers at Fiddlers Ferry form a series of dramatic features in views from the landscape, they do impose an industrial character on the rural landscape along with ribbon development sprawling along from small vernacular settlements. Overall, however, the area is considered to be rural.
- 7.298 The LVIA draws out the statement from the LCA that, ‘Whilst the character area has a large scale landscape character with a number of prominent woodland blocks which offer screening, the horizontal landform is inherently sensitive to development and change which could interrupt the horizontal composition. Development could encroach upon the interplay of open to enclosed space and create a visually and physically’.
- 7.299 The LVIA also reviews the ‘Warrington: A Landscape Character Assessment’ (2007) and notes the former Burtonwood airfield (LCA 4B) stood before Omega was established and that some natural regeneration of small copses and individual trees had taken place to create a ‘wooded’ fringe to the area.
- 7.300 The LVIA notes there are a number of TPOs within both the application site and immediate area. The principal areas of woodland within, and immediately adjacent to the application site being protected by TPOs, consisting of; Booth’s Wood; Plain Plantation; Big Wood Belt; Duck Wood; the unnamed woodland adjacent to the M62 overbridge; Finch’s Plantation; and, Old Hall Plantation.
- 7.301 The LVIA goes onto consider the construction and operational effects of the proposed development and each will be reported below. The assessment has not separated the full and outline elements of the impacts but grouped them together
- 7.302 In terms of effects during the construction phase, the LVIA identifies that the development would result in the loss of characteristic agricultural landscape/field pattern, mature woodland, and context of remainder historical landscape features i.e. ponds, loss of large scale arable landscape and remnant hedgerows, woodland blocks, encroachment of urban elements and

increased prominence of 'developed edge' visible over some distance and the site activity during construction would affect perception of relatively uninhabited area.

- 7.303 Whilst landscape mitigation is proposed, the LVIA notes it would take time to mature and would not contribute to landscape character over the period of construction. There would be a permanent loss of key features of the existing agricultural landscape, leading to a major/moderate adverse residual effect which is significant.
- 7.304 With regards to landscape features, the LVIA notes that given the substantial loss of trees, ponds, hedgerows and agricultural land, the structure and pattern of the existing landscape would be permanently altered leading to substantial, permanent, direct effects and giving rise to a major adverse residual effect which is significant.
- 7.305 Given the substantial removal of established woodland and the scale and footprint associated with both the full and outline element of the scheme the construction phase of the development would have an adverse impact on local landscape character. The construction works would be evidence from a number of vantage points include PRoW's and residential properties.
- 7.306 In terms of the operational phase, the LVIA notes that there would be little difference in the significance of effects. Landscape features, including mature woodland, hedgerows, open fields and ditches, would be lost within the application site which could not be replaced. There would be a moderate/major adverse significance on landscape character, with a residual effect of major adverse significance upon landscape features the effect of both would be significant.
- 7.307 As the mitigation measures mature there is likely to be a partial replacement of some lost features e.g. woodland areas, which together with a maturing new landscape infrastructure would make a limited contribution to landscape character. The effect arising from a loss of characteristic features, including historical field pattern and key open characteristics, and introduction of uncharacteristic built form, including scale, would be permanent. Residual effects, associated with the subsequent operation of the application site, are hence assessed to be at the moderate adverse level i.e. significant, for both landscape character and landscape features.
- 7.308 This development will have a significant impact on the landscape of the Bold Forest Park area and it is therefore a financial contribution of £180,000 has been secured through a planning obligation to support and contribute to the wider enhancement of the Bold Forest Park Infrastructure.

### *Conclusion*

- 7.309 The conclusions on the severity of impacts submitted by the applicant are accepted as accurate. However, with regards to the proposed mitigation planting, even once fully matured it would have limited impact on mitigating the major/adverse effects of the development due to the sheer scale of the development for both full and outline elements for the scheme. The proposed development would result in a major change from the current condition/character of the site/area through the introduction of a large built industrial form that would completely change the landscape character. The development would be a dominating feature that could not be mitigated by landscaping. The harm caused to the landscape character even after the proposed landscape is matured would be significant harm cause contrary to policy CQL4 in the Core Strategy and Bold Forest Park Area Action Plan.

### **Design and Appearance**

- 7.310 Paragraph 124 in the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work.
- 7.311 Paragraph 127 in the NPPF states that planning decisions should ensure that developments;
- a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting.

7.312 Paragraph 117 in the NPPF states that planning decisions should make an effective use of land, while safeguarding and improving the environment.

7.313 Policy CP1 of the CS requires new development to maintain or enhance the overall character and appearance of the local environment, minimise opportunity for crime and maximise natural surveillance, provide landscaping as an integral part of the development, protecting existing landscape features, and achieve a BREEAM rating of at least "very good" for non-residential development.

7.314 The character of the site is relatively flat with fields and grassland and hedgerows and low-level timber fences and pockets of woodland within and on the boundaries of the site. The land to the south, east and north of the application site is relatively open with fields and grassland. Adjacent to the east boundary of the site is Omega Industrial Park where there are large warehouses, clad in colours of grey, blue and white, with large service yards and parking areas, security fencing, CCTV and external lighting.

7.315 As the scheme is in hybrid form, only the full details of the redevelopment of the northern part of the site are known specifically, the full element, although details indicative of height and layout have been provided for the outline.

7.316 Unit 1 in the full element would measure approximately 449m long x 221m at its widest with a curved apex roof which would measure 29.4m at the crown at the western end and 41.6m at the crown to the eastern end. Plantation Wood, Booth Wood and parts of Duck Wood would be retained.

7.317 The north west of the site would be landscaped with trees and shrubs and footpath cycle way sited through the site along with suds basins and water swales. The outline element would include the area of land labelled 'expansion land' to the east of the full element and the area of land to the south. A parameters plan has been provided indicating a minimum peripheral boundary and maximum height of 19 metres and minimum footprint of any units.

7.318 Large scale footprints have been used elsewhere on Omega estates although unit 1 would be the largest. The use of a mix of horizontal and vertical cladding with paler colours of white, grey and pale blue and a colour banding, would to a degree assist in breaking up the expanse of the building. There would be clear legibility throughout the site and clear lines of site. Unit 1 would be on a similar building line to the adjacent warehouse in Omega and the building(s) proposed within the outline element would be similar to the adjacent warehouses in Omega with landscape boundaries. The proposed development when viewed in isolation within an industrial context and against the backdrop of the Omega industrial site, would have similarities with the character of the area.

7.319 However, the proposal would result in a significant amount of established tree loss and farmland and redevelop it with one large warehouse, large areas of hard-surfacing, service and parking yards and associated equipment such as flues and petrol pumps, which would cause harm to the character of the area. The provision of landscaping and trees would soften the edges of the warehouses but not only will this landscaping take years to establish but would not assist in mitigating the view of the warehouses due to the large scale and height of the warehouses. The warehouse would look incongruous and dominant buildings in the landscape.

7.320 The application site for the full element would be set away from Omega with an open space of land left to be used for expansion land. The applicant has explained that there are constraints here including a watercourse and overhead electricity lines where the construction timescale for unit 1 means that these constraints cannot be dealt with in this time. Until it is developed, there would be a visual break between the boundary of the Omega site and so it would not appear as a natural extension to the industrial site.

- 7.321 Within the operation statement the applicant has explained the requirement of the footprint scale and height of the main building, which is accepted. However, the photomontages clearly illustrate how visible the buildings would be within the immediate and wider setting and harm will be caused to the character of the area, which is contrary to Policy CP1 of the Core Strategy.
- 7.322 All matters are reserved for the outline element, however details of height have been provided and indicative layouts. The buildings would be set behind unit 1 and would be subordinate in height so they would be less visible from certain vantage points. However, they would still be incongruous development within the existing character of the area causing harm.
- 7.323 The proposed unit 1 would appear as incongruous features, appearing significantly larger and higher than anything else in the surrounding area. Even with care consideration given to the design of the building it would still result in significant harm to the character of the area. The outline building(s) to a lesser degree would also appear incongruous due to the height and footprint with the rural setting upon which they would be sited and would cause a moderate harm to the character and appearance. The development is of a typical industrial design and complies with the relevant elements of the NPPF and CP1, but would harm the character of the area. This weighs against the proposed development.

**Effects of overshadowing/undue dominance/privacy/lighting on amenity**

- 7.324 Policy CP1 of the CS states that new development should be sympathetic to surrounding land uses and occupiers, avoiding detrimental impact on the amenities of the local area, in particular residential amenities. It also requires that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa. The policy also requires that new developments minimise and mitigate the effects of pollution.
- 7.325 Paragraph 180 in the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. They should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 7.326 The Unit 1 building would be visible although it would be a sufficient distance away from neighbouring residential properties. A lighting scheme for the building has been submitted which the Council's Lighting Engineers have raised no objection to.
- 7.327 Within the administrative boundary of Warrington, sited along the south eastern boundary of the outline element of the application site, are a number of office blocks and a children's nursery. The proposed topographical plan shows the land levels would remain similar in this location. There would be a separation distance of 33 metres between the nursery building and the application site and 121 metres between the indicative siting of the unit labelled as unit 3. The residential properties along Lingley Mere also fall within Warrington and they are sited over 342 metres away from the southern boundary of the outline element of the application edge. The residential dwellings at Old Hall Farm are sited west of the application site over 480 metres of the full element of the application.
- 7.328 The applicant has confirmed that CCTV would be installed around the buildings only and not within the landscaped areas, the details of which can be secured through a condition.
- 7.329 The proposed development would operate for 24 hours a day and a number of activities would take place outside. External lighting would be required in the service areas and car parks. The units would be visible, however, given the separation distances it is not considered that the proposal would have a significant effect on amenity through over-shadowing or loss of light.
- 7.330 Subject to appropriate conditions, a development could be delivered on the site that does not cause harm to residential amenity through overshadowing, undue dominance, privacy or the effects of light pollution. In this respect the proposed development complies with Policy CP1.

## Drainage

- 7.331 Policy CP1 and paragraph 163 of the NPPF state that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas of flooding where informed by a site specific flood risk assessment.
- 7.332 Saved policy ENV30 states that planning permission will not be granted for development that; are in areas of liable to flooding, cause loss of access to watercourses for future maintenance, cause loss of natural flood plain except in exceptional circumstances and where compensatory measures are provided as agreed with the Environment Agency, and give rise to substantial changes in the characteristics of surface water run of unless adequate off site works can be provided.
- 7.333 Paragraph 165 of the NPPF states that major developments should incorporate Sustainable Urban Drainage Systems (SUDs) unless there is clear evidence that this would be inappropriate. SUDs should a) take account of advice from the Lead Local Flood Authority, v) have appropriate proposed minimum operational standards, c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development and d) where possible provide multifunctional benefits.
- 7.334 The topographic survey indicates a high point in the north western corner of the site at 29.07m above ordnance datum (AOD) with the lowest point of 18.33m AOD in the south eastern corner. The low point in the north eastern corner has a level of 21.0m AOD and the low point in the south western corner is at 20.0m AOD.
- 7.335 An Environment Agency main river, Whittle Brook, runs across the site in a north east to south west direction. There are two ordinary watercourses, which cross into the application site from the northern boundary. The first is located in the north west area of the site (within the full element) and crosses in a north to south direction and discharges to Whittle Brook. The second is known as 'Barrow Brook' and crosses the north east corner of the site (identified as part full and outline expansion land). These two ordinary watercourses are the responsibility of the Lead Local Flood Authority (LLFA) and have an 8 metre easement either side of them.
- 7.336 The three watercourses entering the application site from the north are culverted beneath the M62 motorway and revert to open channels once within the application site boundary. Three smaller unclassified watercourses are identified to originate within the application site boundary. There a number of ponds throughout the site as well.
- 7.337 The Flood Risk Statement states the majority of the site falls within Flood Zone 1, which means that it has a low chance (less than a 1 in 1,000 annual probability) of suffering from river flooding. Where the Whittle Brook currently flows through the application site, there are bands of land which lie within Flood Zone 2 (areas with between a 1 in 100 and a 1 in 1,000 annual probability of river flooding). This classifies these areas at medium risk.
- 7.338 The application site is greenfield. In accordance with the Non-Statutory Sustainable Drainage Technical Standards and Lead Local Flood authority requirements, peak flows leaving the site should be restricted to the existing greenfield run-off rate and storage provided. Exceedance routes should be shown to not impact the safety of people or property. The SuDs hierarchy has been considered with this proposal.

### *Full Element*

- 7.339 The Drainage Strategy states the Ground Investigation Report (GIR) has confirmed that the underlying geology is Glacial Till which is predominantly clay, therefore ground infiltration would not be supported.
- 7.340 The drainage strategy for the full element of the proposal is split into three areas. For the north eastern part, the surface water will flow to a SuDs swale basin located between the northern boundary of the site boundary and the hard standing of the development site for storage, before discharging to Barrow Brook by gravity via a flow control restricted rate of 16.7 litres per second

(l/s) which is equivalent to greenfield run-off rate. Barrow Brooke is to be diverted to run adjacent to the M62.

- 7.341 The southern catchment discharging to the watercourse in the south will be split between the car park area and the main building and service yard. The surface water run-off from the car park would discharge to Whittle Brook via gravity with an attenuation tank placed under the car park and a flow control manhole to restrict flows from it. A swale running adjacent to the access road to the car park would cater for the lower elevation of the road.
- 7.342 The main building and service yard will discharge via gravity to large attenuation ponds in the west and then be pumped into Whittle Brooke. The total discharge rate from these areas would be 98.3 l/s which does not exceed greenfield run-off rate.
- 7.343 The surface water storage provided would accommodate for 1 in 100 years plus 40% storm events. The foul drainage will discharge via gravity to a pumping station at the south eastern boundary of the application site.
- 7.344 The drainage management plan has been submitted which illustrates what parts of the site would be maintained by the occupier, TJM/Home Bargains, and what areas would be maintained by United Utilities, Scottish Power and an appointed management company.
- 7.345 The ES considers the application as a whole. It states that during the construction phase, subject to implementing temporary standard practices for controlling run-off from construction sites for some of the receptors, there is likely to be a negligible/minor adverse residual effect on main rivers, surface water flood risk, flood risk on ordinary watercourses, ground water flood risk and resources with the effect not being significant.
- 7.346 The ES states that during the operational stage, subject to operational and management of the SuDs systems for some of the receptors, there is likely to be a negligible adverse residual effect on Main Rivers, surface water flood risk, flood risk on ordinary watercourses, ground water flood risk and resources with the effect not being significant.
- 7.347 The LLFA consider the proposed drainage strategy for the full element of the scheme to be acceptable, including attenuation, maintenance, discharge rates and the associated SuDS method.
- 7.348 The scheme has been amended to allow for an 8 metre buffer between Unit 1 and Whittle Brooke as requested by the Environment Agency.

#### *Outline Element*

- 7.349 The proposals for the outline element are spread across the unit 1 expansion land in north east and the area to the south (Indicative units 2, 3 & 4). The site currently drains to Whittle Brook in the south and Barrow Brook in the north east via the informal ditches within the site.
- 7.350 The surface water drainage strategy is prepared in outline only to demonstrate the proposed development can meet national and local requirements, however, a detailed drainage design can be secured via a condition.
- 7.351 The drainage strategy states that it is unlikely that infiltration will provide a suitable method of disposal for surface water due to the below ground material. However, where infiltration is not feasible, surface water should be discharged into a watercourse as this is also a sustainable drainage approach.
- 7.352 The proposed drainage strategy involves mimicking the existing catchment characteristics of the site so the expansion land would be discharge to Barrow Brooke watercourse and the remaining site would go to Whittle Brooke. As Whittle Brooke currently runs through the southern part of the site, the development involves re-aligning it to run along the western boundary of the site. This will be discussed in further detail below.

- 7.353 The surface water run-off would discharge to Whittle Brook through a surface water network that includes swales and balancing ponds at a discharge rate of 5.8 l/s/ha. In addition to the treatment provided by trapped gullies and the proposed SuDS features, runoff from car parks and service yard areas will also be treated by oil separators in accordance with Environment Agency Pollution Prevention Guidance.
- 7.354 This attenuation storage will be provided to retain all surface water run-off onsite for storm events up to a 1 in 100 year return period plus a 40% allowance for climate change in accordance with the NPPF. The foul sewerage will be discharged to the public sewer via a pumping station.
- 7.355 The LLFA consider the principles of the proposed drainage strategy to be acceptable, including attenuation, discharge rates and the associated SuDS method. Details of the final drainage system and phasing can be secured through a condition.
- 7.356 United Utilities has raised no objections to the proposed drainage scheme for the whole scheme, subject to conditions.

#### *Diversion of Whittle Brook*

- 7.357 The ES states that during the construction phase the diversion will result in loss of aquatic habitats and the physical form and function of the current Whittle Brook watercourse. An 8 metre clearance of Whittle Brook Banks has been shown in line with the Environment Agency comments.
- 7.358 The ES non-technical summary states that during the construction of the proposed development, there would be no significant adverse effects on flood risk, groundwater sources or Whittle Brook. The changes to the existing water environment of the Whittle Brook (Mersey Estuary) are due to the proposed diversion of Whittle Brook which could affect the aquatic ecology and sediment regime. There is also the potential for runoff and infiltration contributing to an increase in flood risk until the sustainable drainage systems have been constructed. The implementation of a CEMP and mitigation measures outlined would serve to avoid the risk of pollution to watercourses during construction of the proposed development and are secured through condition.
- 7.359 During the operation of the proposed development, the effect on flooding and the diversion of Whittle Brook has been assessed to have no significant adverse effects.

#### *Summary*

- 7.360 The application demonstrates that the proposed development has been designed to be an appropriate use within the flood zones it falls within, and that it would not increase flood risk elsewhere, in accordance with the requirements of the NPPF and Policy CP1.
- 7.361 Conditions are recommended to deliver the drainage strategy and secure the implementation of the management and maintenance plan for both full and outline elements of the scheme. Subject to these conditions, the proposed development is would comply with the relevant sections of NPPF and Policies CP1 and ENV30.

#### **Lighting**

- 7.362 Policy CP1 requires that new developments are sympathetic to surrounding land uses and occupiers, avoiding detrimental impacts on the amenities of the local area, in particular residential amenities. The policy also requires that new developments minimise and mitigate the effects of pollution.
- 7.363 Paragraph 180 in the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects on pollution and health, living conditions and the natural environment as well as the sensitivity of the site or wider area to

impacts that could arise from the development. They should limit the impact of light pollution from artificial light on local amenity.

7.364 The application proposes lighting for unit 1. Whilst it would be visible from the locality it would not cause an adverse glare

### **Submission Draft of the St Helens Borough Local Plan 2020-2035**

7.365 St Helens Council is currently preparing a new Local Plan for the Borough. The Local Plan is currently at Submission Draft stage, it had been published but not yet submitted to the Planning Inspectorate.

7.365 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in the emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

7.366 The Policies in the Plan that are most relevant to the determination of this application are LPA02, Policy LPA04 and Policy LPA04.1 and these policies will be discussed in turn.

7.367 Policy LPA02 'Spatial Strategy' states that the plan releases land from the Green Belt to enable the needs for housing and employment development to be met over the plan period in the most sustainable locations. It also identifies land safeguarded for development where planning permission for permanent development should only be granted after the plan period. It states that within the remaining areas of Green Belt new development shall be regarded as inappropriate unless it falls within one of the exceptions set out in the National Planning Policy Framework. Inappropriate development in the Green Belt shall not be approved except in very special circumstances. The policy goes on to state that substantial new employment development (set out in Policy LPA04 and excluding town centre uses) will take place on large sites that are capable of accommodating large employment buildings (over 9,000sq.m) and are close to the M6 and M62. High quality road, public transport and active travel links will be required between existing and proposed residential areas, particularly those with high deprivation levels, and areas of employment growth.

7.368 Policy LPA04 'A Strong and Sustainable Economy' states that the Council will work to: a) help meet the Liverpool City Region's needs for economic growth, job creation and skills development; b) maximise the economic opportunities presented by St. Helens Borough's location in relation to strategic road and rail routes; and c) ensure the necessary infrastructure is provided to support business needs. The Council will aim to deliver a minimum of 215.4 hectares of land for employment development to meet the needs of St. Helens Borough. The policy identifies sites that are allocated for development for employment uses, including part of the application site which is allocated for B2/B8 development as site 1E.

7.369 Policy LPA04.1 'Strategic Employment Sites' identifies part of the application site as a Strategic Employment Site (1EA: Omega South Western Extension, Land north of Finches Plantation, Bold) and that any planning application for development within a Strategic Employment Site must be supported by a comprehensive masterplan covering the whole Site.

7.370 The Submission Draft has been out to consultation and a number of representations have been received regarding the removal of sites from the Green Belt. In particular, comments questioned the need for employment land justifies 'exceptional circumstances' required to remove the land from the Green Belt. These objections are considered to be unresolved and therefore in accordance with paragraph 48 of the NPPF only very limited weight can be given to the policies.

- 7.371 Comments have also been raised regarding the evidence base and the impact of COVID-19. The Planning Newsletter dated 1<sup>st</sup> October 2020, published by the Chief Planner at the Ministry of Housing, Communities and Local Government gives strong encouragement to local authorities to continue in the preparation and adoption of local plans. The plan is due to be submitted at the end of October in accordance with the adopted Local Development Scheme.
- 7.372 Warrington Borough Council has notified St Helens Council that they are pausing work on Warrington's Local Plan, in response to the impact of COVID-19, along with the Government's proposed planning reforms and new housing calculation methodology.
- 7.373 This application has been assessed on the evidence base and adopted development framework and both St Helens Local Plan and Warrington's Local Plan are not adopted.

### **Prematurity**

- 7.374 The NPPG sets out the circumstances when it might be justifiable to refuse planning permission on the grounds of prematurity. Paragraphs 48 to 50 of the NPPF explain how weight may be given to policies in emerging plans. However, in the context of the framework and in particular the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits taking the policies in the framework and other material considerations into account.
- 7.375 The circumstances are:
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
  - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
- 7.375 Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.
- 7.376 Given the considerable need for employment in the Borough, it is not considered that the development proposed is so substantial, or its cumulative effects would be so significant that to grant permission would undermine the plan-making process by pre-determining decisions about the scale, location or phasing of new development that are central to an emerging plan.
- 7.377 Further, as outlined earlier in this report, the Submission Draft of the St Helens Borough Local Plan 2020-2035 has not yet been submitted for Examination in Public and given the early stage of the plan, it is not considered that the Plan can be considered to be at an advanced stage. Accordingly, it is not considered that the determination of this application would be premature.
- 7.378 As stated, work on Warrington's Local Plan has been paused..

### **Cumulative effects**

- 7.379 Each chapter of the Environmental Statement also considers the cumulative effects of other developments. Of these other developments, there is Omega South (Zone 3-6) which has outline planning on for 1100 residential units and mixed-use zone and Lingley Mere which also has permission for residential are considered across all areas in the Environmental Statement.
- 7.380 In terms of the cumulative effects, the EIA identifies that there would not be significant effects in relation to noise and vibration, air quality, ground and contamination, drainage, flood risk and biodiversity.

7.381 The EIA identifies construction cumulative effects of the developments in combination with the Proposed Development are likely to have a direct, temporary, medium-term moderate beneficial effect on construction employment (significant). This is due to the potential for the committed developments to generate a large amount of construction employment.

*Pre-application consultation*

7.382 Paragraph 40 of the NPPF requires local planning authorities, where they think this would be beneficial, to encourage applicants to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.

7.383 The applicant has explained that as one of the landowners (Homes England), is an executive non-departmental public body sponsored by the Government (Ministry of Housing, Communities & Local Government) it was not possible to undertake any public pre-application consultation in advance of the submission of the application due to 'purdah' during the 6-week election period.

7.384 Whilst, preferable, there is no requirement for the applicant to carry out pre-consultation. The Council has carried out its statutory requirement to consult on and advertised the application accordingly. Furthermore, purdah does not affect planning decisions.

## **8. CONCLUSION**

8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is also emphasised in Paragraphs 11 to 12 and 47 of the NPPF.

8.2 Saved Policy GB1(a) in the Unitary Development Plan does not permit the erection of new buildings in the Green Belt unless it is for certain purposes (as was previously set out under PPG2). A new industrial development such as this is considered inappropriate development in the Green Belt and does not meet any of the exceptions in the policy. Saved Policy GB1(a) therefore states that such inappropriate development should not be permitted except in very special circumstances.

8.3 Saved Policy GB2 states that subject to the provisions of Saved Policy GB1, development in the Green Belt will be judged against (i) whether it is appropriate in terms of its siting, scale, design, materials and landscaping and does not detract from the appearance and openness of the Green Belt, (ii) it will not generate so much traffic as to cause nuisance or danger nor require any major improvements to rural roads, (iii) it does not conflict with the purposes of including land within the Green Belt and (iv) it will not conflict with other objectives for the use of land in the Green Belt, and wherever appropriate, will make a positive contribution to their achievement.

8.4 Paragraph 144 of the NPPF states that when considering any planning application, the Council should ensure that substantial weight is given to any harm caused to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

8.5 Paragraph 144 of the NPPF is considered to be consistent with both Saved Policy GB1(a) and Saved Policy GB2.

8.6 The proposed development would cause harm to the Green Belt by reason of its inappropriateness, it would have a significant impact on the openness of the Green Belt and would be contrary to three of the five purposes of including land within the Green Belt. Although the development's contribution to urban sprawl and any further encroachment into the countryside would be restricted by the existing boundaries and proposed boundaries of the site, it is noted that the boundaries proposed to the south and west have been created by the applicant and are landscaping and therefore only limited weight can be given to them. This

makes the proposed development contrary to certain aspects of saved policy GB2. In accordance with saved policy GB1(a) and paragraph 144 of the NPPF, this harm should (individually and collectively) be given substantial weight against the proposed development.

- 8.7 The harm caused to the setting of the listed buildings and the Old Moat would be contrary to policies ENV25 and CQL4. It also means that there is conflict with Section 66 of the Planning (Listed Building and Conservation Areas) Act because the development would fail to preserve the setting of two listed buildings. Consequently, the harm caused to the setting of the listed buildings should be given significant weight against the proposed development.
- 8.8 The proposed development would introduce additional vehicles onto the road network, however it has been demonstrated that there is capacity within the network and junctions, subject to mitigation measures for J8 of the M62 and the removal of the consented B1 use at Omega Warrington will be secured through a S106. Additional public transport commitments will be required to ensure appropriate access to and from St Helens to ensure that opportunities for improving sustainable transport to the site are enhanced. The proposed development is considered to comply with the relevant parts of the NPPF and policy CP2 of the CS. There is considered to be limited harm caused.
- 8.9 The proposed development would cause some harm to air quality in certain locations, which must be weighed against the proposed development. However, the proposed development would not cause any exceedances of EU Limit Values in 2030 or have a significant effect overall. It is not considered that this materially conflicts with policy CP1 in the Core Strategy or paragraph 181 of the NPPF because impacts have been minimised and mitigated. However, harm would be caused and this harm should be given very limited weight against the proposed development.
- 8.10 Harm would be caused to the visual amenity of over 20 properties at the construction phases and over 21 at the operation stage. The harm caused to amenity would be contrary to the requirements of policy CP1 and should weigh against the proposed development. There would be harm caused through construction although it would be temporary. The harm caused during the operational stage would be a permanent effect and the establishment of landscaping would only provide minimal impact in mitigating the harm caused. The harm caused should be given significant weight against the proposed development.
- 8.11 The proposed development would have a significant adverse impact on the landscape character of the site, which would be contrary to policies CP1, CQL3 and CQL4 in the Core Strategy and Bold Forest Area Action Plan.
- 8.12 The design of the proposed development when viewed in isolation within an industrial context and against the backdrop of the Omega industrial site, would have similarities with the character of the area. However, the height of unit 1 is significantly higher than elsewhere and therefore harm would be caused through short and long range views. In the design context, moderate harm is caused.
- 8.13 The noise effects of the proposed development would not have a significant effect on the amenity of the residents at the nearest residential properties in accordance with Policy CP1. However, it is acknowledged that some harm would be caused by additional noise and this should weigh against the proposed development. The harm should be given limited weight.
- 8.14 The site is agricultural land, and although not considered to be the 'best and most versatile' agricultural land and therefore there is no conflict with policy CP1 or paragraph 112 of the NPPF. However, its loss would still cause some limited harm.
- 8.15 Limited harm to land drainage would be caused as suitable mitigation have been proposed.
- 8.16 These impacts should weigh against the proposed development alongside the harm caused to the Green Belt.

- 8.17 In favour of the proposed development, there is a significant need to deliver employment land in the Borough of St Helens, in particular for large scale logistics developments. The proposed development is deliverable, attractive to the market, and it would make a significant contribution to the employment land supply, in accordance with the requirements of policy CE1 and the increased requirement in the OAN contained in the AELNS, considered to be a robust evidence base for decision taking. There are no sites within the urban area that could accommodate the proposed development, the only possible alternatives are also in the Green Belt. This economic land position should be given significant weight in favour of the proposed development.
- 8.18 The application also proposes a number of economic benefits, of such a scale that they should be given significant weight in favour of the proposals in accordance with paragraph 80 of the NPPF. There are also some social benefits and very limited environmental benefits which should weigh in favour of the proposed development.
- 8.19 In terms of the planning balance, the contribution that the development would make to the Council's employment land position is significant and of particular importance, given that the need is of such a quantum and character that only Green Belt sites are likely to satisfy it. This and the other significant economic benefits would clearly outweigh the substantial harm caused to the Green Belt and the other harm identified in the report above. Consequently, it is considered that the proposed development complies with GB1 and the NPPF.
- 8.20 It is therefore concluded that there is conflict with policies CP1, CP2, CQL3, CQL4, ENV12a, ENV21b, ENV25 and GB2 so the proposed development does not accord with elements of the development plan. However, there are 'very special circumstances' such that the proposed development complies with saved policy GB1 (a), taking on board such policy conflicts, and therefore on balance, it also complies with the development plan as a whole.
- 8.21 In terms of Green Belt policy, there is no material inconsistency or conflict between the Unitary Development Plan, the Core Strategy and the NPPF. On balance the proposed development constitutes sustainable development in terms of the NPPF because the 'very special circumstances' outweigh the substantial harm to the Green Belt and other harm. Furthermore, the public benefits of the proposed development outweigh the heritage harm. The proposed development complies with the development plan, so in accordance with Paragraph 11 of the NPPF, it should be approved without delay. There are no material considerations which would require a determination other than in accordance with the development plan. Rather, the material considerations further support the grant of permission, subject to conditions and a Section 106 agreement.

## 9. **RECOMMENDATION**

- 9.1 Grant Planning Permission subject to the completion of an agreement under section 106 of the Town and Country Planning Act 1990, the Secretary of State not wishing to intervene and the following conditions.

### **Condition which applies to Full and Outline**

1. The development hereby approved permits a total of 205,500 sq.m (circa 2, 210, 500sq.ft) of floorspace within the red line application site. There will be a 30% B2 and 70% B8 split within this total floorspace in accordance with the Environmental Statement Volume 1 chapter 3 point 3.3.7.

### **Conditions for the full application.**

2. The works hereby permitted must be begun within 3 years of the date of this decision notice.
3. The development shall be carried out in accordance with the following plans unless otherwise required by another condition;

### **Plans**

- OPP DWG. 2 4150-00001-PL6 Site Location Plan
- OPP DWG. 3.1 4150-05105-PL4 Parameters Plan 1 - Outline and Detailed Application Boundaries
- UNIT 1 DWG. 1 6385 – 181 Rev. G Proposed Site Layout Plan
- INFRA DWG. 14.1
- 5969-Z8-BR-100 Rev. A Bold Hall Bridge South Ramp Works

### **Floorplans**

- UNIT 1 DWG. 0 6385 - 180 Rev A Proposed Building Plan
- UNIT 1 DWG. 3 6385 – 183 Rev. C Ground Floor Office Layout Plan
- UNIT 1 DWG. 4 6385 – 184 Rev. C First Floor Office Layout Plan
- UNIT 1 DWG. 5 6385 – 185 Rev. C Second Floor Office Layout Plan
- UNIT 1 DWG. 6 6385 – 186 Rev. B Proposed Roof Plan

### **Elevations**

- UNIT 1 DWG. 2a 6385 – 193 Rev. A Proposed Elevations No Hatch

### **Associated Infrastructure**

- UNIT 1 DWG. 15 6385 - 192 Gate Details
- UNIT 1 DWG. 8, 9 & 10 6385 - 188 Rev. A Gatehouse, Smoking Shelter & Cycle Shelter Details
- UNIT 1 DWG. 28 CPW-190081-M-SK-03-P6 Mechanical and Electrical Plant Locations Sketch
- INFRA DWG. 22 4150-CA-00-00-DR-A-P1 Primary Substation Elevations
- INFRA DWG. 23 4150-CA-00-00-DR-A-P2 Typical Customer Substation
- INFRA DWG. 24 4150-CA-00-00-DR-A-P2 Substation Fencing Plan
- INFRA DWG. 25 4150-CA-00-00-DR-A-P1 Typical Gas Governor
- UNIT 1 DWG. 16 190081-E-EXT-XX-01 P4 External Lighting Strategy
- Lux Levels / Light spill Rev. P4

### **Levels**

4. The site's levels shall be constructed in accordance with those shown on plan ref: UNIT 1 DWG. 26 131504 Rev. E Overland Flood Flow (Exceedance) Routing, INFRA DWG. 19 5969-Z8-EWK-200 Rev. C Full Proposed Levels and INFRA DWG. 20 5969-Z8-EWK-201 Rev. C Full Proposed Sections. Any change in levels shall be shown on existing and proposed plans and submitted and agreed in writing with the Local Planning Authority. Only the approved details shall be implemented.

### **Removal of Permitted Development**

5. Unit 1, hereby shown on plans identified in condition 2, falls within Use Class B8. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, and any Order revoking or re-enacting that order, no change of use shall take place within unit 1, as identified on the plans in condition 2. The unit shall remain Use Class B8, unless planning permission is sought from and granted by the Council as Local Planning Authority.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class I and P, Part 7, Class H or any Order revoking or re-enacting that order, no further development shall take place within the curtilage of Unit 1, as identified on the plans within condition 2, unless planning permission is sought from and granted by the Council as Local Planning Authority.

### **Air Quality**

7. Prior to the first occupation of unit 1 as identified on the plans in condition 2, or first use of the car park as shown on plan ref:16385-181 Rev. G hereby approved, electric car charging infrastructure comprising at least one electric car charging point for every 30 car parking spaces hereby approved shall be provided on the site. As a minimum, 4 charging points shall comprise a dedicated 32 amp radial circuit which is directly wired to an appropriate RCD at the consumer unit and terminates at a BS EN 62196 Type 2 electric vehicle charging point located where it is accessible from a dedicated off-street car parking bay. Additional 'active' spaces (up to a maximum of 39 as shown on the Proposed Site Plan) shall be provided subject to demand. The infrastructure shall remain in perpetuity.

### **Noise**

8. Construction work shall not take place outside the hours of 07.00-19.00 hours Monday to Friday, 07.00 - 14.00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority. The exception to this is activity which is outlined in Section 8.1 'Hours of Work and Appendix H ('Night-Time Construction Noise Technical Note', prepared by WSP) of document titled "Construction Environment Management Plan Unit 1 : Doc 7, Omega Zone 8, St Helens /TJ Morris Ltd dated April 2020." prepared by Quod on behalf of TJ Morris Ltd.
9. No temporary power plant shall be used outside the permitted hours of construction unless in accordance with details which have been submitted to an approved in writing by the Local Planning Authority prior to commencement of development. Any such plant shall only be operated in accordance with the approved details. The exception to this is activity which is outlined in Section 8.1 ('Hours of Work') and Appendix H ('Night-Time Construction Noise Technical Note' prepared by WSP) of document titled "Construction Environment Management Plan Unit 1 : Doc 7, Omega Zone 8, St Helens /TJ Morris Ltd dated April 2020." prepared by Quod on behalf of TJ Morris Ltd.
10. No additional external plant or equipment shall be permitted on site, nor shall any additional openings be formed in the elevations or roof of unit 1, hereby permitted, which directly ventilates the building or which discharges from any internal plant or equipment, until a scheme has been submitted to and approved in writing with the Local Planning Authority. Only the approved details shall be implemented.
11. The rating level of noise emitted from the fixed plant and equipment serving Unit 1 shall not exceed those quoted in Table 7.7-4 "Fixed plant and equipment noise limits" of Appendix 7.7 Industrial/Commercial Noise Assessment - Environmental Statement Vol 2 – OPP DOC. 11.20 carried out by WSP dated Dec 2019 at the specific receptors identified. Any assessment to determine compliance with the quoted levels shall be made in accordance with the method provided in BS4142:2014 + A1:2019 "Methods for rating as assessing industrial and commercial sound" and shall be carried out by a suitably qualified acoustic consultant/competent person.
12. Unless otherwise agreed in writing with the Local Planning Authority, operational noise from the development associated within Unit 1, shall not exceed the levels quoted in Appendix 7.7 "Industrial and Commercial Noise Assessment" Environmental Statement Vol 2 – OPP DOC.11.20 – carried out by WSP dated Dec 2019. Any assessment to determine compliance with the quoted levels shall be made in accordance with the method provided in BS4142:2014 + A1:2019 "Methods for rating as assessing industrial and commercial sound" and shall be carried out by a suitably qualified acoustic consultant/competent person.

13. The Operation Noise Management of the site shall be carried out in accordance with the details provided in the document titled " Unit 1, Omega Zone 8, St. Helens, Operational Noise Management Plan, DOC.10 dated July 2020", prepared by WYG on behalf of TJ Morris Ltd - document ref A118153". Any changes to this shall be submitted to and approved in writing with the Local Planning Authority.
14. Full details of the acoustic noise barriers identified in Environmental Statement in Chapter 7 (Noise and Vibration) Document No. OPP DOC.11.7 dated Dec 2019 carried out by WSP shall be installed in accordance with a scheme/specification which has been submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented before the first use of unit 1 and retained thereafter. Any timber/acoustic fencing used in the boundary treatment shall be treated to give a minimum design service life of at least 15 years.

### **Highways**

15. Prior to first occupation of unit 1, the proposed new bus stop / shelter infrastructure, as illustrated in Figure 4-2 of the Transport Assessment shall be implemented in accordance with precise scheme details that have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented.
16. A scheme for the design and construction of the site access point and roundabout at Catalina Way shall be submitted to and approved in writing by the Local Planning Authority. The access shall be designed in accordance with the principles set out in the approved site layout plan (ref: 6385-181 G). The approved scheme shall subsequently be constructed to binder course surfacing level and completed prior to occupation of unit 1. The access shall be kept available for use at all times.
17. Prior to the first occupation of Unit 1, the internal highway infrastructure, shall be constructed to binder course surfacing level (or block paved) and shall be available for use in accordance with the approved plans.
18. Prior to the first occupation or use of Unit 1, the areas indicated on the submitted plans to be set aside for parking and servicing shall be surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in drawing number 6385-181 G. The parking and servicing areas shall be retained as such thereafter and shall not be used in a manner that prevents the parking of vehicles.
19. Prior to the first occupation Unit 1, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the travel plan shall include but not be limited to:
  - Operational details of a shuttle bus service;
  - Involvement of employees;
  - Information on existing transport policies, services and facilities, travel behaviour and attitudes;
  - Updated information on access by all modes of transport;
  - Resource allocation including Travel Plan Coordinator and budget;
  - A parking management strategy;
  - A marketing and communications strategy
  - Promotion of car sharing initiatives
  - Provision of on-site cycle storage
  - An action plan including a timetable for the implementation of each such element of the above; and
  - Mechanisms for monitoring, reviewing and implementing the travel plan

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- The details (name, address, telephone number and email address) of the Travel Plan Coordinator.
  - An annual report shall be submitted to the Local Planning Authority no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The annual report shall include a review of the travel plan measures, monitoring data and an updated action plan
  - The approved travel plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use.
20. The roads shall be maintained in accordance with the management and maintenance details outlined in Infra Doc.6 Highways Management & Maintenance of Omega Roadways Document (July 2020) until such times as a private management and maintenance company has been established or until such time as an agreement has been entered into under the Highways Act 1980.
21. Prior to occupation of Unit 1 the Phase 1 roads as shown on WSP Drawing No. 5969-Z8-GA-117/B shall be built to the approved standards and available for use.
22. Prior to the first occupation of Unit 1, mitigation including the widening works between M62 J8 and Skyline Drive / Fairchild Road roundabout, and remarking of M62 exit slip to provide two lanes to Skyline Drive (as outlined in drawing 11191042\_SK326/A) should be implemented, to ensure the junction lane use and exit geometry is consistent with traffic modelling submitted.
23. No construction work relating to the proposed mitigation in Condition (22) above shall commence until the developer has submitted full design & construction details of the required improvements between M62 J8 and Skyline Drive / Fairchild Road roundabout and remarking of M62 exit slip; such details to be agreed by the LPA, in consultation with the Secretary of State and shown in preliminary form on drawing 11191042\_SK326, including:
- i. How the scheme interfaces with the existing highway alignment, carriageway, markings and lane designations;
  - ii. Full signing and lighting details;
  - iii. Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations / departures from standards);
  - iv. Independent Stage 1 and Stage 2 Road Safety Audits carried out in accordance with current Departmental (DMRB) and Advice Notes.
24. Prior to the first occupation of unit 1, the 3 metre high fence as shown on plan ref: 6385-191 Rev H shall be erected along the northern boundary of the development site and shall not be within one metre from any part of the existing motorway fence. Thereafter, the fence shall remain in situ and only be repaired or replaced in accordance with the requirements of this condition.
25. No drainage from the proposed development shall connect into M62 motorway drainage system, nor shall any surface drainage from the site run-off towards the route.
26. No development pursuant to this application shall commence until a detailed construction plan working method statement (including Risk Assessment Method Statement) relating to site development earthworks and drainage alongside the M62 has been submitted to and approved by Highways England and the Local Planning Authority.

**Construction Management**

27. The development shall be carried out in accordance with the following plans, unless otherwise agreed in writing with the Council as Local Planning Authority.

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- Amended Construction Environment Management Plan Unit 1: Doc 7, Omega Zone 8, St Helens /TJ Morris Ltd dated April 2020 prepared by Quod on behalf of TJ Morris Ltd. Received on 13/08/2020
- Amended INFRA DOC. 1 Construction Environmental Management Plan –INFRA Parts 1 to 4. Received on 13/08/2020

For the avoidance of doubt the measures in the construction management plans includes ecological measures, which include, but are not limited to, pre-commencement checks, removal and protection of nesting and breeding birds, reptiles, badgers, pond clearance and purple ramping fumitory which shall all be implemented during the course of construction including landscaping.

28. Notwithstanding condition 27, wheel wash facilities must be provided in proximity of the application site egress location and shall remain in place during the course of construction.
29. Notwithstanding condition 27, a plan showing the location of containers, material delivery and storage area, any HGV parking areas shall be submitted to and approved in writing within 2 weeks of work commencing on the site. Only the approved details shall be implemented.

### **Ecology**

30. The removal and eradication of invasive species on the full and outline elements of the application site shall be carried out in accordance with the submitted method statement entitled '*Himalayan Balsam Control Method Statement, The Ecology Practice, 6 July 2020.*
31. The bat mitigation measures as set out within page 30 of the 'Environmental Statement Vol.1 Chapter 'Biodiversity' OPP DOC 11.9' and the 'Woodland, Tree and hedgerow clearance method statement' within Appendix F of Unit 1 Doc 0.7 Construction Environmental Management Plan (Detailed Application Area) (as amended and received on 07/08/2020) and INFRA DOC. 1 Construction Environmental Management Plan, which includes pre-commencement checks and the use of soft felling techniques following best practice at an appropriate time of year, are to be implemented in full during construction and landscaping.
32. Notwithstanding 'INFRA DWG. 12 16903-11ES Rev. C Bat Box Proposals'; prior to the first occupation of unit 1, details of bat boxes within the boundary of the full/detailed element of this application (as shown on OPP DWG. 3.1 4150-05105-PL4) shall be submitted to and approved in writing with the Local Planning Authority. For the avoidance of doubt the details shall be shown on a scaled plan and include the quantity, type, location and timing of installation. The approved details shall be implemented.
33. Notwithstanding 'INFRA DWG. 13 16903-12ES Rev. C Bird Box Proposals, prior to the first occupation of unit 1, details of bird boxes within the boundary of the full/detailed element of this application (as shown on ref:4150-05105-PL4) shall be submitted to and approved in writing with the Local Planning Authority. For the avoidance of doubt the details shall be shown on a scaled plan and include the quantity, type, location and timing of installation. The approved details shall be implemented.
34. Notwithstanding the proposed planting listed in condition 36 the field maple (*Acer campestre*), shall be with hawthorn or holly. *Viburnum opulus* shall be replaced in hedgerow planting with blackthorn and in woodland edge planting it should be replaced by an increase in other native species listed.
35. Prior to the installation of the SUDS attenuation ponds, details of how the Suds ponds will be designed to benefit nature conservation shall be submitted to and agreed in writing with the Local Planning Authority. The details shall include profile plans and planting plans. Only the approved details shall be implemented.

## Landscaping

36. All landscaping and tree planting must be in accordance with the specifications and details within the documents:-

### Overall

- OPP DWG. 5 POE\_199\_001 Rev. H Landscape Strategy
- INFRA DWG. 17 POE\_199\_007 Rev. A Tree Planting Landscape Details
- INFRA DWG. 18 POE\_199\_009 Rev. G Full Landscape Proposals
- INFRA DWG. 21 POE\_199\_010 Rev. D Detailed Application Site Context

### Around Unit 1

- UNIT 1 DWG. 13a 2138 - PL001-1 Rev. G Preliminary Landscape Proposals (Sheet 1 of 3)
- UNIT 1 DWG. 13b 2138 - PL001-2 Rev. F Preliminary Landscape Proposals (Sheet 2 of 3)
- UNIT 1 DWG. 13c 2138 - PL001-3 Rev. G Preliminary Landscape Proposals (Sheet 3 of 3)
- UNIT 1 DWG. 13d 2138-PL001-4 Rev A Omega Z8 Sitting area – Preliminary Hard Landscape Proposals
- UNIT 1 DWG. 11 6385 – 189 Rev. G Proposed External Finishes Plan
- UNIT 1 DWG. 12 6385 – 190 Rev. E Dropped Kerb & Tactile Paving

### North West Landscaping 'Green Wedge' and cycle path through site.

- UNIT INFRA DWG. 14 POE\_199\_004 Rev. E Structural Landscape-Proposed & Existing Contours
- INFRA DWG. 15 POE\_199\_005a Rev. H Detailed Planting Plan Sheet 1 of 2
- INFRA DWG. 26 POE\_199\_005b Rev. F Detailed Planting Plan Sheet 2 of 2
- OPP DWG. 6 POE\_199\_002 Rev. D Indicative Landscape Sections

### Boundaries

- UNIT 1 DWG. 14 6385 – 191 Rev. H Fencing Details

All specified landscaping works must be completed prior to any use of Unit 1 on site or the first planting season post-occupation (if occupation occurs outside of the planting season). Any trees or plants, or grassed areas, which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased, must be replaced in the next planting season with others of a similar size, species and quality unless the Local Planning Authority gives written consent to the variation.

37. All landscape planting works must be inspected annually during the month of August, each year for the first 5 years after planting. The inspections must record the health and condition of trees and plants planted and assess where trees and plants need to be replaced. This report must be submitted to the Council, as Local Planning Authority, prior to the planting season commencing in each year and the details and specifications of replacement trees and plants to be planted in that coming planting season provided in writing. The replacement trees and plants must then be planted in the period between the 1st December and 1st March and the Council as Local Planning Authority informed when all re-planting works are completed.
38. All ongoing landscape management must be in accordance with the details and specifications within the documents entitled: -
- Unit 1 Doc.8 Landscape and Ecology Management Plan (LEMP) Unit 1
  - Unit 1. Doc 9a May 2020 Landscape Management Plan Unit 1
  - INFRA DOC. 2 Landscape & Ecology Management Plan – INFRA

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- INFRA DOC. 3b Landscape Management Plan – INFRA also entitled The Landscape maintenance strategy – Omega Zone 8, St Helens, March 2020

submitted with this application and be associated with the landscape drawings submitted in condition 32 and the requirements of any other conditions. Progress, review and delivery of this management plans must be provided to the Council as Local Planning Authority annually for a period of 10 years. The Council should be provided contact details for the Management Companies appointed to implement these prior to any occupation of Unit 1 on site.

39. All tree work must be to BS3998 (2010) with any woodland, tree and hedgerow removal being in accordance with the details submitted within the following plans;

- Amended Construction Environment Management Plan Unit 1: Doc 7, Omega Zone 8, St Helens /TJ Morris Ltd dated April 2020 prepared by Quod on behalf of TJ Morris Ltd. Received on 13/08/2020
- Amended INFRA DOC. 1 Construction Environmental Management Plan –INFRA Parts 1 to 4. Received on 13/08/2020
- UNIT 1 DWG. 31 131504 Rev. B Head Wall Outfall and Tree Removal Plan
- “Method Statement Drainage Outfall Statement Unit 1 Doc.12

submitted with this application, with no felling taking place between the period 1<sup>st</sup> March to 1<sup>st</sup> September in accordance with the guidance in these submitted documents.

40. Temporary measures to provide physical protection of all trees, hedges and shrubs shown to be retained shall be in accordance with the tree protection plans in the document entitled ‘Tree Protection Fencing Document No OPP Doc. 11.22q:-

- Tree Protection Plan Drg No RSE\_3152\_TPPa Rev 9
- Tree Protection Plan Drg No RSE\_3152\_TPPb Rev 9
- Tree Protection Plan Drg No RSE\_3152\_TPPc Rev V9
- Drainage Outfall Statement Unit 1 Doc.12

submitted with this application. The provision of total exclusion zones must be achieved by the erection of protective fencing as specified in the submitted plans which should not be to a standard less than that specified in British Standard BS5837 (2012). The areas so defined shall be kept free of machinery, stored materials of all kinds and any form of ground disturbance not specifically catered for in the agreed measures, for the duration of site, demolition and building works.

41. Arboricultural Supervision and provision of an Ecological Clerk of Works must be as specified in the documents: -

- Amended Construction Environment Management Plan Unit 1: Doc 7, Omega Zone 8, St Helens /TJ Morris Ltd dated April 2020 prepared by Quod on behalf of TJ Morris Ltd. Received on 13/08/2020
- Amended INFRA DOC. 1 Construction Environmental Management Plan –INFRA Parts 1 to 4. Received on 13/08/2020

submitted with this application. The Ecological Clerk of Works, Site Biodiversity Champion and Site Biodiversity Manager deployed for the duration of the construction phase on site is Andrew Arnott from The Ecology Practice. A site meeting between Site Managers, Site Biodiversity Champion and the St. Helens Trees and Woodlands Officer (01744 676189), the Countryside Development and Woodlands Officer (01744 616221) must be arranged within 2 weeks of any development taking place on site. Once the initial meeting has been held the frequency of ongoing

meetings must be established along with the reporting procedure to the Council as Local Planning Authority for the duration of development on site.

### **Drainage Lead Local Flood Authority**

42. The drainage scheme for Unit 1 shall be implemented, retained and maintained in accordance with the following plans.
- OPP DOC. 8.1-4 Drainage Strategy Rev. 5
  - OPP DOC. 1.1 Flood Risk Assessment
  - UNIT 1 DWG. 24 131504 Rev. F Surface Water Drainage Layout
  - UNIT 1 DWG. 25 131504 Rev. E Foul Drainage Layout Rev. D
  - UNIT 1 DWG. 26 131504 Rev. E Overland Flood Flow (Exceedance) Routing
  - UNIT 1 DWG. 29 131504-2230 Rev. C Western Pond Sections and Northern and Southern Swale Details
  - UNIT 1 DWG. 30 131504-PC-2231 Rev. A Ordinary Watercourse Diversion
  - UNIT 1 DWG. 31 131504 Rev. B Head Wall Outfall and Tree Removal Plan
  - UNIT 1 DWG. 32 131504 2110 Rev. B Watercourse Diversion Works General Arrangement
  - UNIT 1 DWG. 33 131504 Watercourse Diversion Works Long-sections
  - OPP DWG. 11 5969-Z8-GA-117 Drainage Maintenance Plan Rev. A

No further section of Barrow Brook shall be removed than has been shown on the plans.

### **Environment Agency**

43. No development shall take place within the 8 metre wide buffer zone alongside Whittle Brook watercourse until a scheme for the provision and management of a 8 metre wide buffer zone alongside the watercourse has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:
- a) plans showing the extent and layout of the buffer zone .
  - b) details of any proposed planting scheme (for example, native species) .
  - c) details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan

Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme.

44. No development shall take place within the 8 metre wide buffer zone alongside Whittle Brook watercourse until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, has been submitted to, and approved in writing by, the local planning authority.

The scheme shall include the following elements:

- a) details of maintenance regimes
- b) details of any new habitat created on-site
- c) details of treatment of site boundaries and/or buffers around water bodies
- d) details of management responsibilities
- e) Whittle Brook channel long section showing existing and proposed bed levels. This should indicate change in channel length and associated gradient, any change should be assessed with regard to hydromorphology and biological quality elements in the WFD assessment.
- f) Indicative channel cross-sections to represent all design proposals (i.e. 2-stage channel, inset berms and any changes at proposed meanders).

g) Geomorphology surveys to inform detailed design proposal to be provided to the Environment Agency, including data on the reference reach.

The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

45. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref.no. 70060349-FRA August 2020) and the following mitigation measures it details:

- Diversion of Whittle Brook design to include increased capacity within the watercourse to reduce the flood risk currently affecting the proposed development site.
- Surface water discharge from the site to be limited to 5.8 l/s/ha with 16,660 cubic metres of attenuation provided to cater up to the 100-year climate change rainfall event affecting the site.
- Raised finished floor levels - 0.3m above the 100-year climate change level for the on-site drainage system & 0.15m above proposed surrounding ground level.

These mitigation measures shall be fully implemented prior to occupation and measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

### **United Utilities**

46. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. 70060349-FRA August 2020) which was prepared by WSP. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

### **Ground Conditions**

47. Prior to the first occupation of unit 1, a verification report which confirms the successful decommissioning of boreholes within zones 2 and 3 as shown on plan ref: LA100018360 2020 (attached to the LPA Contaminated Land officers response) and in accordance with the submitted strategy (WSP, Omega Zone 8, Monitoring Well Decommissioning Strategy, 17<sup>th</sup> March 2020), shall be submitted to and agreed in writing with the Local Planning Authority.

### **Lighting**

48. Prior to the first occupation of unit 1 a lighting scheme for the cycle pathway shall be submitted to and agreed in writing with the Local Planning Authority. The lighting scheme shall take into consideration and include measures to protect the ecology. The approved lighting shall be implemented.

### **Local Employment**

49. The development hereby approved shall be implemented in accordance with INFRA DOC. 4 Local Employment Scheme (Construction) and INFRA DOC. 5 Local Suppliers of Services and Goods During the Construction Phase. The Local Planning Authority shall be notified in writing when the local recruitment process begins and the measures taken as identified within the statement.

50. Prior to the first use of Unit 1, a Local Employment Scheme for the operational phase of that building shall be submitted to, and approved in writing by, the local planning authority. The submitted Local Employment Scheme shall demonstrate how the development will use all reasonable endeavours to recruit at least 20% of labour from within the Borough of St Helens focusing on the most deprived Super Output Areas. The Scheme shall include the following:

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- a) Details of how the initial staff/employment opportunities at the development will be advertised and how liaison with the Council and other local bodies such as the Local Chamber and job centres will take place in relation to maximising the access of the local workforce to information about employment opportunities;
- b) Details of how sustainable training opportunities will be provided for those recruited to fulfil staff/employment requirements including the provision of apprenticeships;
- c) A procedure setting out criteria for employment, and for matching of candidates to the vacancies;
- d) Measures to be taken to offer and provide college and/or work placement opportunities at the Development to students within the locality;
- e) A procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to the District Council including details of the origins qualifications numbers and other details of candidates; and,
- f) A timetable for the implementation of the Local Employment Scheme.

The development shall be implemented in accordance with the approved Scheme.

51. Notwithstanding plan ref: UNIT 1 DWG. 27 6385 - 197 Indicative fuelling & Vehicle Wash Details and the site layout plan 6385 – 181 Rev. G, scaled drawings of the fuelling and vehicle wash, sprinkler house, tanks as cage storage as indicated on the layout plan shall be submitted to and approved in writing with the Local Planning Authority prior to installation. Only the approved details shall be implemented.

**Conditions for Outline Application.**

52. All applications for reserved matters must be made within three years of the date of this decision notice and development must be commenced before the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approve.
53. The sites levels shall be constructed in accordance with those shown on plans;
  - OPP DWG. 8 5969-Z8-EWK-100 Rev. B Outline Proposed Levels
  - OPP DWG. 9 5969-Z8-EWK-101 Rev. B Outline Proposed Sections

Any change in levels shall be shown on existing and proposed plans and submitted and agreed in writing with the Local Planning Authority. Only the approved details shall be implemented.

54. No development shall take place until details of the following reserved matters relevant to that phase have been submitted to and approved in writing by the Council as Local Planning Authority; (i) appearance, (ii) landscaping, (iii) scale and (iv) layout. The development shall be carried out in accordance with the reserved matters as approved.
55. Reserved matters applications for layout, scale and appearance shall include full details of facing materials. The proposed facing materials shall be selected to minimise the visual bulk of the buildings and their effectiveness shall be demonstrated through a written justification and series of photomontages. The development shall be implemented in accordance with these details.
56. A phasing plan shall be submitted for approval with all reserved matters applications. The proposed development shall be implemented in accordance with the approved plan.
57. Reserved matters applications for layout shall take account of Whittle Brooke prior to and after diversion. Any layout shall demonstrate that there is no development within the 8 metre buffer either side of the bank top.

58. The gross external floor space area of any building in use class B8 or B2 (including any ancillary office B1a) submitted with any reserved matters application shall not be less than 27,870 sq.m (300,000 sq.ft).
59. The overall total gross floorspace within the outline application site shall not exceed 123,930 sq.m (1,333,971 sq.ft). Each reserved matters application(s) shall state the ground floor area dimensions and what element will be B8 and B2.

### **Lighting**

60. Reserved matters applications shall include a lighting strategy for that phase, which includes details of light columns, lighting specifications, a light spillage plan showing the LUX levels in relation to the closest nearby properties/highways and details of baffels if required. The lighting scheme shall be designed to maintain the amenity of neighbouring residents, ensure highway safety and protect ecology by preventing excessive light spill onto sensitive habitats. The development shall be implemented in accordance with the agreed details.

### **Construction Environmental Management Plan**

61. No development shall commence on any phase of the development or each reserved matters application until a Construction Environmental Management Plan (CEMP) for that phase/reserved matter has been submitted to and agreed in writing with the Local Planning Authority. The CEMP shall include but not be limited to;
- Details of phasing
  - A dust management plan which includes details of the proposed dust monitoring programme, both before and during construction, with proposed locations and duration of monitoring
  - Details of how pre-commencement checks for badgers and water voles will be undertaken.
  - Method statement for the protection of English Bluebells present within Duck Wood and/or elsewhere on site
  - Reasonable Avoidance Measures for protected species including bats and breeding birds
  - Method statement for the felling of trees
  - Construction traffic routes, which shall include a primary traffic route
  - The local and number of parking spaces for contractors
  - Temporary roads/areas of hard-standing
  - A schedule for large vehicles delivering/exporting materials to and from site;
  - A scheme of street sweeping/street cleansing;
  - Details of lighting which is designed to minimise impacts on residential amenity and ecology.
  - The identification of a minimum [8 metre] buffer zone from the west and southern boundary from in which no construction activity can take place.
  - A surface water management plan
  - Contact details of the principle contractor
  - Confirmation that the principles of Best Practicable Means for the control of noise and vibration will be employed, as defined within the Control of Pollution Act 1975.
  - Confirmation that the good practice noise mitigation measures detailed within BS528-1: 2009+A1:2014 shall be employed.

The development shall be carried out in accordance with the agreed CEMP.

62. Reserved Matters applications shall be in accordance with the following parameter plans and details;
- OPP DWG. 3.1 4150-05105-PL4 Parameters Plan 1 - Outline and Detailed Application Boundaries
  - OPP DWG. 10 POE\_199\_011 Parameter Plan 3: Outline Landscape
  - No building shall exceed the overall height of 19 metres.

### **Local Employment**

63. Prior to the commencement of each phase or with any reserved matters application submission a Local Employment Scheme for the construction of that phase shall be submitted to and agreed in writing with the local planning authority. The submitted Local Employment Scheme shall demonstrate how the development will use all reasonable endeavours to recruit at least 20% of labour from within the Borough of St Helens focusing on the most deprived Super Output Areas. The Scheme shall include the following:
- a) Details of how the initial staff/employment opportunities at the development will be advertised and how liaison with the Council and other local bodies such as St Helens Chamber and Ways to Work will take place in relation to maximising the access of the local workforce to information about employment opportunities;
  - b) Details of how sustainable training opportunities will be provided for those recruited to fulfil staff/employment requirements including the provision of apprenticeships or an agreed alternative;
  - c) A procedure setting out criteria for employment, and for matching of candidates to the vacancies;
  - d) Measures to be taken to offer and provide college and/or work placement opportunities at the Development to students within the locality;
  - e) Details of the promotion of the Local Employment Scheme and liaison with contractors engaged in the construction of the Development to ensure that they also apply the Local Employment Scheme so far as practicable having due regard to the need and availability for specialist skills and trades and the programme for constructing the development;
  - f) A commitment that the construction phase of the development will be undertaken in accordance with the Unite Construction Charter
  - g) A procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to the Council including details of the origins qualifications numbers and other details of candidates; and,
  - h) A timetable for the implementation of the Local Employment Scheme.

The development shall be implemented in accordance with the approved scheme.

64. Prior to the commencement of each phase of the development or each reserved matters application, a Scheme to promote the use of local suppliers of goods and services during the construction of that phase shall be submitted to and agreed in writing with the local planning authority. The development shall be implemented in accordance with the agreed Scheme.
65. Prior to the first use of any building, a Local Employment Scheme for the operational phase of that building shall be submitted to, and approved in writing by, the local planning authority. The submitted Local Employment Scheme shall demonstrate how the development will use all reasonable endeavours to recruit at least 20% of labour from within the Borough of St Helens focusing on the most deprived Super Output Areas. The Scheme shall include the following:
- a) Details of how the initial staff/employment opportunities at the development will be advertised and how liaison with the Council and other local bodies such as St Helens Chamber and Ways to Work, will take place in relation to maximising the access of the local workforce to information about employment opportunities;
  - b) Details of how sustainable training opportunities will be provided for those recruited to fulfil staff/employment requirements including the provision of apprenticeships;

- c) A procedure setting out criteria for employment, and for matching of candidates to the vacancies;
- d) Measures to be taken to offer and provide college and/or work placement opportunities at the Development to students within the locality;
- e) A procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to the District Council including details of the origins qualifications numbers and other details of candidates; and,
- f) A timetable for the implementation of the Local Employment Scheme.

The development shall be implemented in accordance with the approved Scheme.

### **Ground Conditions**

66. Prior to the commencement of development within zone 4 as shown on plan ref: LA100018360 2020;
- a) A Phase 2 site investigation and assessment shall be undertaken in accordance with the recommendations of the submitted Phase 1 Geo-environmental Assessment (WSP, ref 11158(002), May 2019). The results of the site investigation and assessment shall be submitted to and agreed in writing with the local planning authority.
  - b) Should the Phase 2 investigation identify any requirements for remediation then a remedial strategy, including a validation methodology, shall be submitted to and agreed in writing with the local planning authority. The remedial strategy shall include a methodology and verification plan for the decommissioning of any deep boreholes.

All such reports shall be completed by a competent person in accordance with government and Environment Agency guidance, namely "Land Contamination: Risk Management" (<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>).

67. Prior to occupation/ commencement of use of any phase of the development within zone 4 as shown on plan ref: LA100018360 2020;
- a) The agreed remedial strategy (if required) will have been implemented, and a site validation/ completion report for each building within that phase shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt, the site validation/ completion report shall include, but will not necessarily be limited to; i) full details of all remediation works undertaken; ii) validation (in accordance with the validation methodology detailed within the agreed remedial strategy) of the adequacy of the remediation; iii) sampling, testing and assessment of the suitability of any imported or site won soils; iv) the fate of any excavated material removed from site; v) verification of the successful decommissioning of boreholes. The site validation/ completion report(s) shall be completed by a competent person in accordance with government and Environment Agency guidance, namely "Land Contamination: Risk Management" (<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>).

### **Landscaping**

68. Any reserved matters application must include an up to date Arboricultural Impact Assessment, with Tree Constraints Plan and Tree Protection Plan with the temporary measures to provide physical protection of all trees, hedges and shrubs shown to be retained (which must retain, as a minimum the areas illustrated as "Existing Woodland / Trees / Vegetation to be retained and protected" in the plan entitled "Parameters Plan 3 Outline Landscape (OPP Planning) Drawing No. POE\_199\_011" submitted with this application). This information must detail tree protection measures which will be put in place to not only protect the existing retained trees, hedges and woodlands but also any new tree planting and landscaping delivered as part of any development on site. All tree protection measures must be to at least BS 5837 (2012) standard. Method statements must also be included; particularly where there are impacts to root protection areas and ground protection or special no dig surfacing is required. All measures

must be in place prior to any demolition or development taking place on site. The provision of total exclusion zones so defined shall be kept free of machinery, stored materials of all kinds and any form of ground disturbance not specifically catered for in the agreed measures, for the duration of all site and building works (including works that may be carried out within the adjacent outline area of the site).

69. Any reserved matters application must include an: -

- Arborist Clerk Works Method Statement
- Ecological Clerk Works Method Statement

All tree work and hedgerow removal specified in these documents must be to BS3998 (2010), with no felling taking place between the period 1<sup>st</sup> March to 1<sup>st</sup> September, unless otherwise clearly specified methodologies for arboricultural and ecological supervision and inspection aimed at avoiding disturbance to breeding birds and protected species, which must be detailed and specified within these documents. All tree work must also be supervised by the Arboricultural Supervisor for the site and the details of the provision of a Biodiversity Champion for the site must also be included within these documents. The contact details for the Arboricultural Supervisor / Ecological Clerk of Works and Site Biodiversity Champion, along with the dates of initial site meetings between Site Managers, Site Biodiversity Champion and the St. Helens Trees and Woodlands Officer (01744 676189), the Countryside Development and Woodlands Officer (01744 616221) must be provided prior to any development taking place on site. In addition to the contact details for the Site Biodiversity Champion. Once the initial meeting has site been held the frequency of ongoing meetings must be established along with the reporting procedure to the Council as Local Planning Authority for the duration of development on site.

70. Any reserved matters application must provide fully specified landscape plans and all plans must include and provide supporting information and :-

- be in accordance with the species recommendations, principles and standards detailed in the document "Omega Zone 8: Landscape Strategy December 2019 (Rev C 05.08.20), "Landscape Strategy : Omega Zone 8 (OPP Dwg 5) Drawing No. POE\_199\_001 Dated 12/19 Revision H and the "Parameters Plan 3 Outline Landscape (OPP Planning) Drawing No. POE\_199\_011 Dated 04/20 Revision A", OPP DWG. 12 5969-Z8-SK-015 Rev. D Parameter Plan 4: Watercourse Diversion and OPP DWG.12 5969-Z8-SK-015 Rev. D Watercourses Diversion Route and Sections, submitted with this application.
- Include detailed designs and planting specifications, including cross sections, for all water bodies, including river diversions, being created on site.
- Include the removal of rhododendron and under planting of existing retained woodlands using appropriate native woodland species.
- Include specifications for all other soft and hard landscape details for 'ecological' areas as well as within the developed areas of the site.
- Include the design and specification of any paths and tracks to be constructed, which must provide a route that is surfaced and at least 1.5 metres in width, preferably using a bound recycled stone surface e.g Hoppath and incorporate "Access for All" principles e.g. maximum gradients of 1 in 20 (1:12 for short sections).
- Include a timescale for the delivery of landscaping, which must be completed prior to use of the development unless otherwise first agreed in writing with the Council as Local Planning Authority.
- Include a detailed maintenance programme and schedule for all landscaping completed on site.

All specified landscaping works must be completed prior to any use of any buildings on site or the first planting season post-occupation (if occupation occurs outside of the planting season), unless otherwise first agreed in writing with the council as Local Planning Authority. Any trees, shrubs and plants and meadow areas planted / sown, which within a period of 5 years from the date of planting / sowing die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size, species and quality unless the Local Planning Authority gives written consent to the variation.

71. All landscape planting works must be inspected annually during the month of August, each year for the first 5 years after planting. The inspections must record the health and condition of trees and plants planted and assess where trees and plants need to be replaced. This report must be submitted to the Council, as Local Planning Authority, prior to the planting season commencing in each year and the details and specifications of replacement trees and plants to be planted in that coming planting season provided in writing. The replacement trees and plants must then be planted in the period between the 1st December and 1st March and the Council as Local Planning Authority informed when all re-planting works are completed.
72. Any reserved matters application must include a detailed Ecological and Landscape Management Plans updated for areas that are illustrated as being retained and created in the plan entitled “Parameters Plan 3 Outline Landscape (OPP Planning) Drawing No. POE\_199\_011” submitted with this application and separately for the developed areas within the rest of the site. The plans must include: -
- Detailed maintenance and management schedules / programmes for the landscape areas illustrated as being retained and created within the “Parameters Plan 3 Outline Landscape (OPP Planning) Drawing No. POE\_199\_011” submitted with this application.
  - Use the principles identified within the documents “Omega Zone 8: Landscape Strategy December 2019 (Rev C 05.08.20) and Omega Zone 8: Landscape Maintenance Strategy March 2020 Rev D Issued 05.08.20.
  - Include the management of ponds, wetlands and rivers / streams being created on site.
  - Provide methodologies for the control of invasive species such as Himalayan balsam and rhododendron.
  - Provide details of nest box specification and locations for bird and bat species on site, which must include provision of barn owl boxes.

Progress, review and delivery of this management plans must be provided to the Council as Local Planning Authority annually. The Council should be provided contact details for the Management Companies appointed to implement these management companies prior to any use of any buildings onsite. The approved details shall be implemented.

### **Ecology**

73. The removal and eradication of invasive species on the outline elements of the application site, as identified on plan ref:4150-05105-PL4 shall be carried out in accordance with the submitted method statement entitled '*Himalayan Balsam Control Method Statement, The Ecology Practice, 6 July 2020.*
74. Reserved matters applications shall be supported by updated bat surveys.
75. The bat mitigation measures as set out within page 30 of the 'Environmental Statement Vol.1 Chapter 'Biodiversity' OPP DOC 11.9' and the 'Woodland, Tree and hedgerow clearance method statement' within Appendix F of Unit 1 Doc 0.7 Construction Environmental Management Plan (Detailed Application Area) (as amended and received on 07/08/2020),

which includes pre-commencement checks and the use of soft felling techniques following best practice at an appropriate time of year, are to be implemented in full.

76. Notwithstanding 'INFRA DWG. 12 16903-11ES Rev. C Bat Box Proposals'; reserved matters applications shall provide details of bat boxes within the boundary of the outline element of this application (as shown on plan ref:4150-05105-PL4). The details shall be submitted to and approved in writing with the Local Planning Authority. For the avoidance of doubt the details shall be shown on a scaled plan and include the quantity, type, location and timing of installation. The approved details shall be implemented.
77. Should two years elapse from the date of the water vole survey (*Amended Appendix 9.13 Water Vole survey, dated June 2020*), submitted with the application then updated water vole surveys will be required to be carried out with any reserved matters application [this trigger needs considering] and the details and findings submitted to agreed in writing with the Local Planning Authority.
78. No grassland clearance or tree or hedgerow felling, lopping or pruning shall take place between 1st March and 31st August, unless a survey for breeding birds together with a scheme of necessary mitigation and protection measures, undertaken by a suitably qualified person, has been submitted to and approved in writing by the Council as Local Planning Authority. Should grassland clearance, tree or hedgerow felling, lopping or pruning take place between the dates stated above, any agreed mitigation and protection measures shall be implemented and retained throughout the period.
79. Prior to the installation of the SUDS attenuation ponds, details of how the Suds ponds will be designed to benefit nature conservation shall be submitted to and agreed in writing with the Local Planning Authority. The details shall include profile plans and planting plans. Only the approved details shall be implemented.

### **Drainage**

80. No development shall take place in a phase until a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance and LLFA Guidance with evidence of an assessment of the site conditions has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and LLFA Guidance. This will include the need for a full Drainage Strategy, Flood modelling and detailed construction level drawings for all surface water aspects, in line with the drainage strategy (OPP DOC. 8.1 Drainage Strategy Rev. 5) supplied in application P/2020/0061/HYBR. The agreed scheme shall be implemented before the first use of any building hereby permitted in that phase and managed/maintained as agreed thereafter.
81. Prior to occupation of the development in a phase a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum: identification of the responsible/adopting authority / undertaker / management company and the inspection and ongoing maintenance regime throughout its lifetime. The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

### **Environment Agency**

82. No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the watercourse has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- a) plans showing the extent and layout of the buffer zone .
- b) details of any proposed planting scheme (for example, native species) .
- c) details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan

Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme.

83. No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to, and approved in writing by, the local planning authority.

The scheme shall include the following elements:

- a) details of maintenance regimes
- b) details of any new habitat created on-site
- c) details of treatment of site boundaries and/or buffers around water bodies
- d) details of management responsibilities
- e) Whittle Brook channel long section showing existing and proposed bed levels. This should indicate change in channel length and associated gradient, any change should be assessed with regard to hydromorphology and biological quality elements in the WFD assessment.
- f) Indicative channel cross-sections to represent all design proposals (i.e. 2-stage channel, inset berms and any changes at proposed meanders).
- g) Geomorphology surveys to inform detailed design proposal to be provided to the Environment Agency, including data on the reference reach.

The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

### **Highways**

84. Access into the site shall be delivered in accordance with the general arrangements shown on Plan UNIT 1 DWG. 1 6385 – 181 Rev. G Proposed Site Layout Plan and shall be provided prior to the first use of any building hereby permitted.
85. The roads shall be maintained in accordance with the management and maintenance details outlined in Infra Doc.6 Highways Management & Maintenance of Omega Roadways Document (July 2020) until such times as a private management and maintenance company has been established or until such time as an agreement has been entered into under the Highways Act 1980.
86. The development shall provide internal connected pedestrian/cycle links north to the M62 overbridge of PRoW 102, east to Catalina Way and east to Omega Boulevard/Orion Boulevard to the principles of Chetwoods Drawing No.4150-05100-SK15 Indicative Masterplan in accordance with a timetable for implementation to be submitted and approved in writing by the Local Planning Authority.
88. Within 6 months of a building being occupied, a Travel Plan for that building shall be submitted to and approved in writing by the Council as Local Planning Authority. The plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the travel plan shall include but not be limited to:
- Operational details of a shuttle bus service;
  - Involvement of employees;
  - Information on existing transport policies, services and facilities, travel behaviour and attitudes;

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- Updated information on access by all modes of transport;
  - Resource allocation including Travel Plan Coordinator and budget;
  - A parking management strategy;
  - A marketing and communications strategy;
  - An action plan including a timetable for the implementation of each such element of the above; and
  - Mechanisms for monitoring, reviewing and implementing the travel plan.
89. The approved travel plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use. An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The annual report shall include a review of the travel plan measures, monitoring data and an updated action plan.
90. Reserved Matters applications shall include precise details of car, motorbike and cycle parking. The details shall include a justification for the level of spaces proposed, a layout plan, details of surfacing and any facilities such as lockers, showers etc. The parking provision should include 1 electric vehicle charge point and 1 priority parking space for hybrid and electric vehicles for 30 spaces. These spaces shall be provided prior to the first use of the building approved under that reserved matters application and retained as such thereafter.
91. Reserved matters applications shall include provision for overnight lorry accommodation and shall include evidence to demonstrate that the level of provision is adequate for that phase of the development. The development shall be implemented in accordance with the agreed details and those areas shall be retained as such thereafter.

**Noise**

92. Construction work shall not take place outside the hours of 07.00-19.00 hours Monday to Friday, 07.00 - 14.00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority
93. No temporary power plant shall be used outside the permitted hours of construction unless in accordance with details which have been submitted to an approved in writing by the Local Planning Authority prior to commencement of development. Any such plant shall only be operated in accordance with the approved details.
94. No additional external plant or equipment shall be permitted nor shall any additional openings be formed in the elevations or roof of the units hereby permitted which directly ventilate the building or which discharge from any internal plant or equipment, without the prior written permission of the local planning authority. Only the approved details shall be implemented.
95. The rating level of noise emitted from the fixed plant and equipment serving units shall not exceed those quoted in Table 7.7-4 "Fixed plant and equipment noise limits" of Appendix 7.7 Industrial/Commercial Noise Assessment - Environmental Statement Vol 2 – OPP DOC. 11.20 carried out by WSP dated Dec 2019 at the specific receptors identified. Any assessment to determine compliance with the quoted levels shall be made in accordance with the method provided in BS4142:2014 + A1:2019 "Methods for rating as assessing industrial and commercial sound" and shall be carried out by a suitably qualified acoustic consultant/competent person.
96. Unless otherwise agreed with the Local Planning Authority, operational noise from the development shall not exceed the levels quoted in Appendix 7.7 "Industrial and Commercial Noise Assessment" Environmental Statement Vol 2 – OPP DOC.11.20 – carried out by WSP dated Dec 2019. Any assessment to determine compliance with the quoted levels shall be made in accordance with the method provided in BS4142:2014 + A1:2019 "Methods for rating as assessing industrial and commercial sound" and shall be carried out by a suitably qualified acoustic consultant/competent person.

97. As part of any phase or reserved matters application an updated noise and vibration assessment shall be submitted which builds on the findings of those presented in Environmental Statement in Chapter 7 (Noise and Vibration) Document No. OPP DOC.11.7 dated Dec 2019. The updated assessment shall seek to minimise noise emanating from the development and detail any mitigation required.
98. Prior to the commencement of development on each phase or with the submission of a reserved matters application the developer shall submit a piling method statement, to be approved by the Local Planning Authority. The piling work shall be undertaken in accordance with the approved method statement: The method statement shall include the following details:
- Details of the method of piling
  - Days / hours of work
  - Duration of the pile driving operations (expected starting date and completion date)
  - Prior notification to the occupiers of potentially affected properties
  - Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint.
99. All floor floating operations shall be undertaken using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties. In addition, prior to the commencement of any floor floating activities, the developer shall submit, in writing, a method statement, to be approved by the Local Planning Authority prior to the commencement of floor floating activities. The floor floating work shall be undertaken in accordance with the approved method statement:
- The method statement shall include the following details:
1. Details of the method of floor floating
  2. Days / hours of work
  3. Duration of the floor floating operations (expected starting date and completion date)
  4. Prior notification to the occupiers of potentially affected properties
  5. Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint
100. Prior to the commencement of any B2 use hereby permitted on any individual plot, the operator shall submit a scheme to the LPA detailing any sources of vibration which may be detectable at other nearby premises. The scheme shall detail any mitigation measures proposed to minimise such vibration to levels that will not cause alarm or distress at neighbouring premises in accordance with British Standards. Once approved in writing by the LPA, all agreed mitigation measures shall be implemented prior to the commencement of use.
101. As part of any reserved matters application, full details of the acoustic noise barriers for any units shall be submitted to and agreed in writing with the Local Planning Authority. It should be based on the details identified in the Environmental Statement in Chapter 7 (Noise and Vibration) Document No. OPP DOC.11.7 dated Dec 2019 carried out by WSP. The barriers shall be installed in accordance with a scheme/specification which has been submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented before the first use of the relevant unit and retained thereafter. Any timber/acoustic fencing used in the boundary treatment shall be treated to give a minimum design service life of at least 15 years.
102. Prior to the first use of each phase or reserved matters, the unit(s) hereby approved, an Operational Noise Management Strategy for each individual unit shall be submitted to and agreed in writing with the Local Planning Authority. The agreed Strategy shall be implemented thereafter.

103. As part of any reserved matters submission, notwithstanding the layout may change, chilled goods shall be prohibited within the dashed orange area as shown on plan ref:Omega 7.7 residual noise contour/chilled goods operation plan ref:UK RA B600 dated 19/12/2019.

## 11. GLOSSARY

AQA – Air Quality Assessment

AQMA – Air Quality Management Area

ARELNS – Addendum Report to the ELNS, BE Group, October 2017 – Amended January 2019

CEMP – Construction environmental management plan

dB – Decibel

EEBP – Economic Evidence Base Paper, Aecom, September 2015

EIA – Environmental Impact Assessment

EDNA Warrington Economic Development Needs Assessment

ELNS – Employment Land Needs Study, BE Group, October 2015

ES – Environmental Statement

FEMA - Functional Economic Market Area

HGV – Heavy Goods Vehicle

HIA – Heritage impact assessment

JLL Jones Lang LaSalle Market Report

LCA – St Helens Landscape Character Assessment (January 2006)

LCR – Liverpool City Region

LCRGS – Liverpool City Region Growth Strategy

LGV – Light Goods Vehicle

LVIA – Landscape visual impact assessment

LWS – Local wildlife site

MEAS – Merseyside environmental advisory service

NO<sub>2</sub> – Nitrogen Dioxide

NPPF – National Planning Policy Framework

NPPG – National Planning Practice Guidance

OAN – Objectively Assessed Need

PM<sub>x</sub> – Particulate Matter

PROW – Public right of way

SHELMA – Draft Strategic Housing and Employment Land Market Assessment, GL Hearn, January 2017

SUDS – Sustainable Urban Drainage Systems

TA – Transport Assessment

UDP – St Helens Unitary Development Plan (1998)



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Figure 1: Site Location

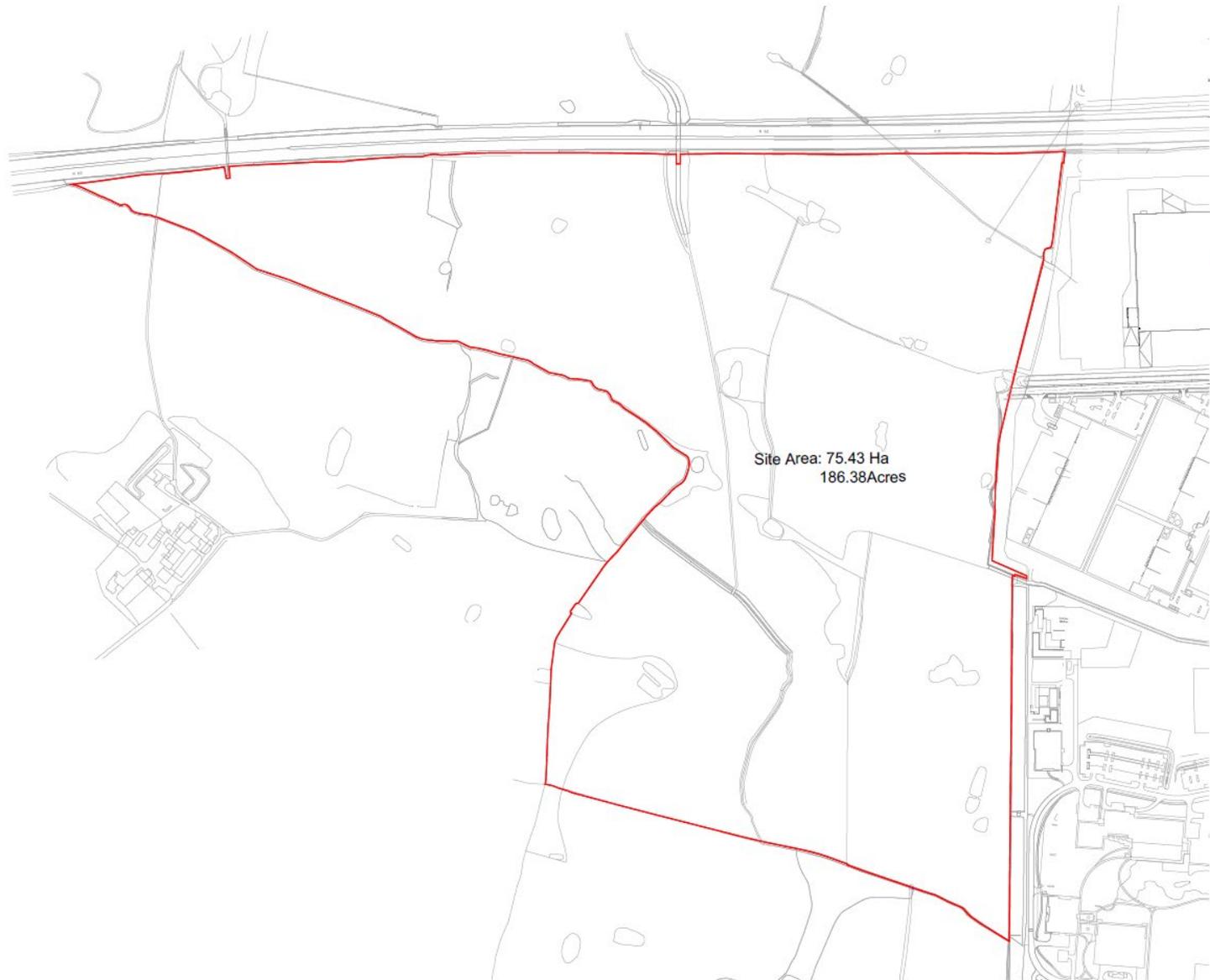


Figure 2: Proposed Site Layout for Unit 1

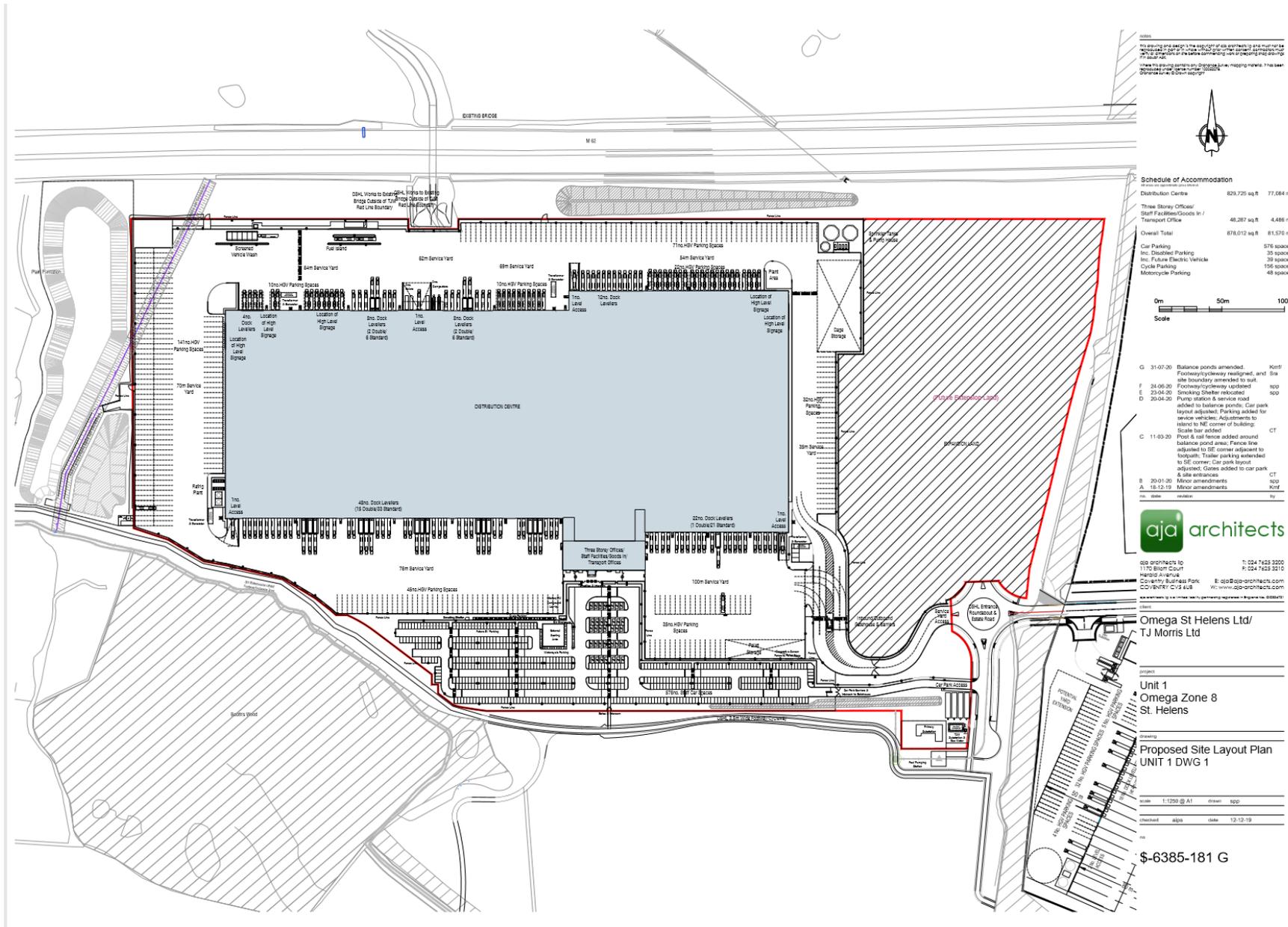


Figure 3: Elevation of Unit 1

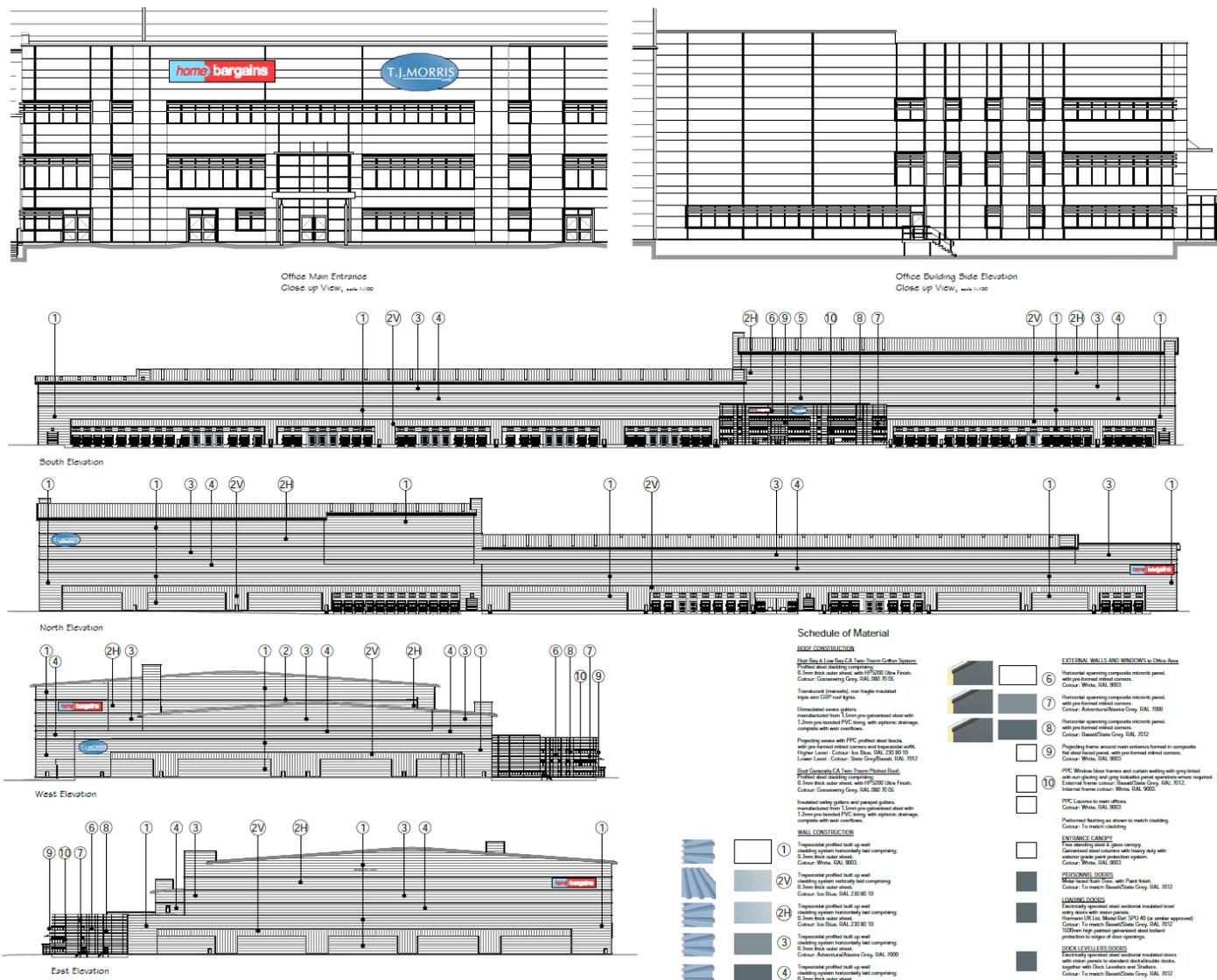


Figure 4: Proposed Masterplan

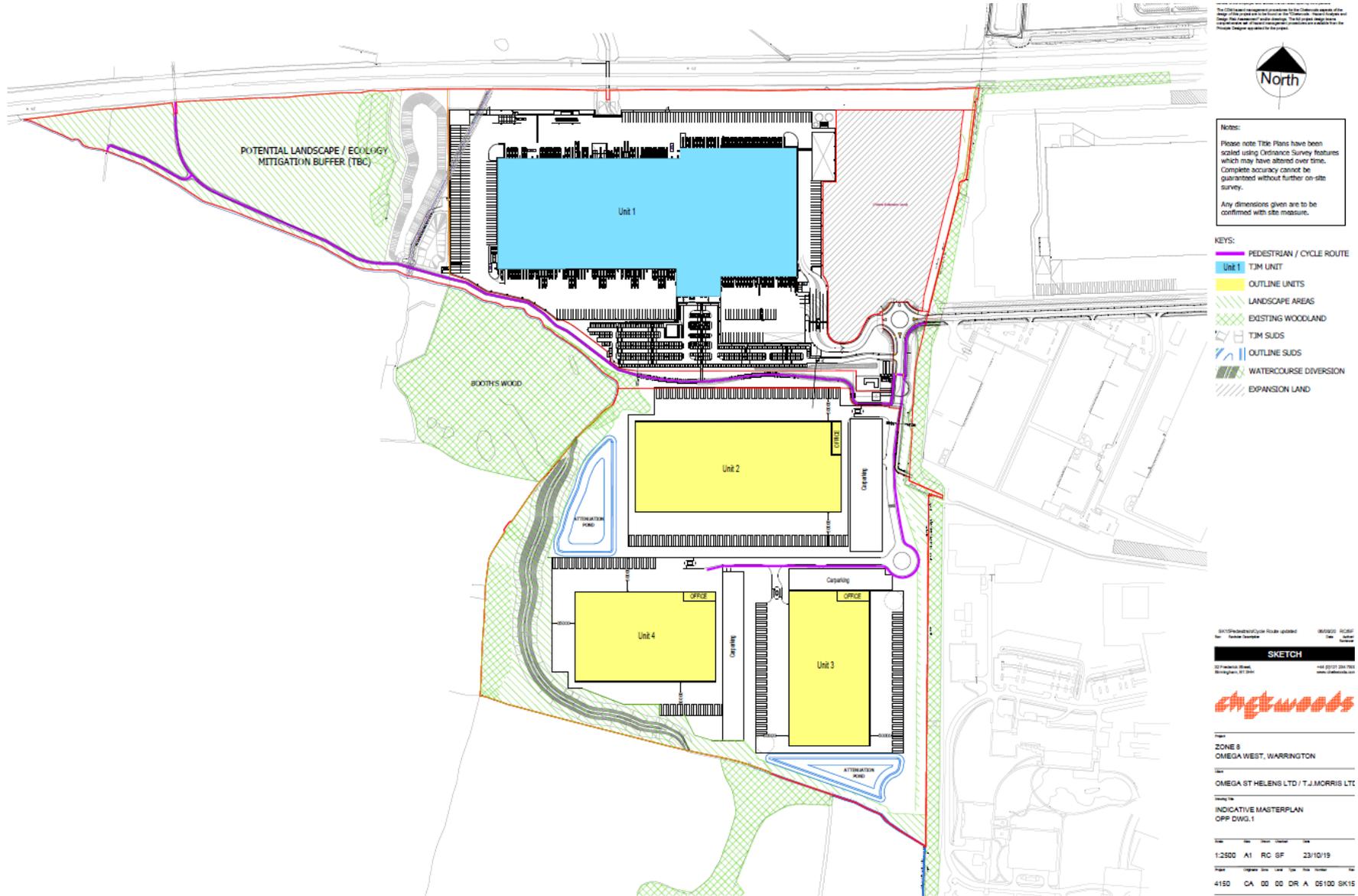




Figure 6: Landscape and Visual Receptors.

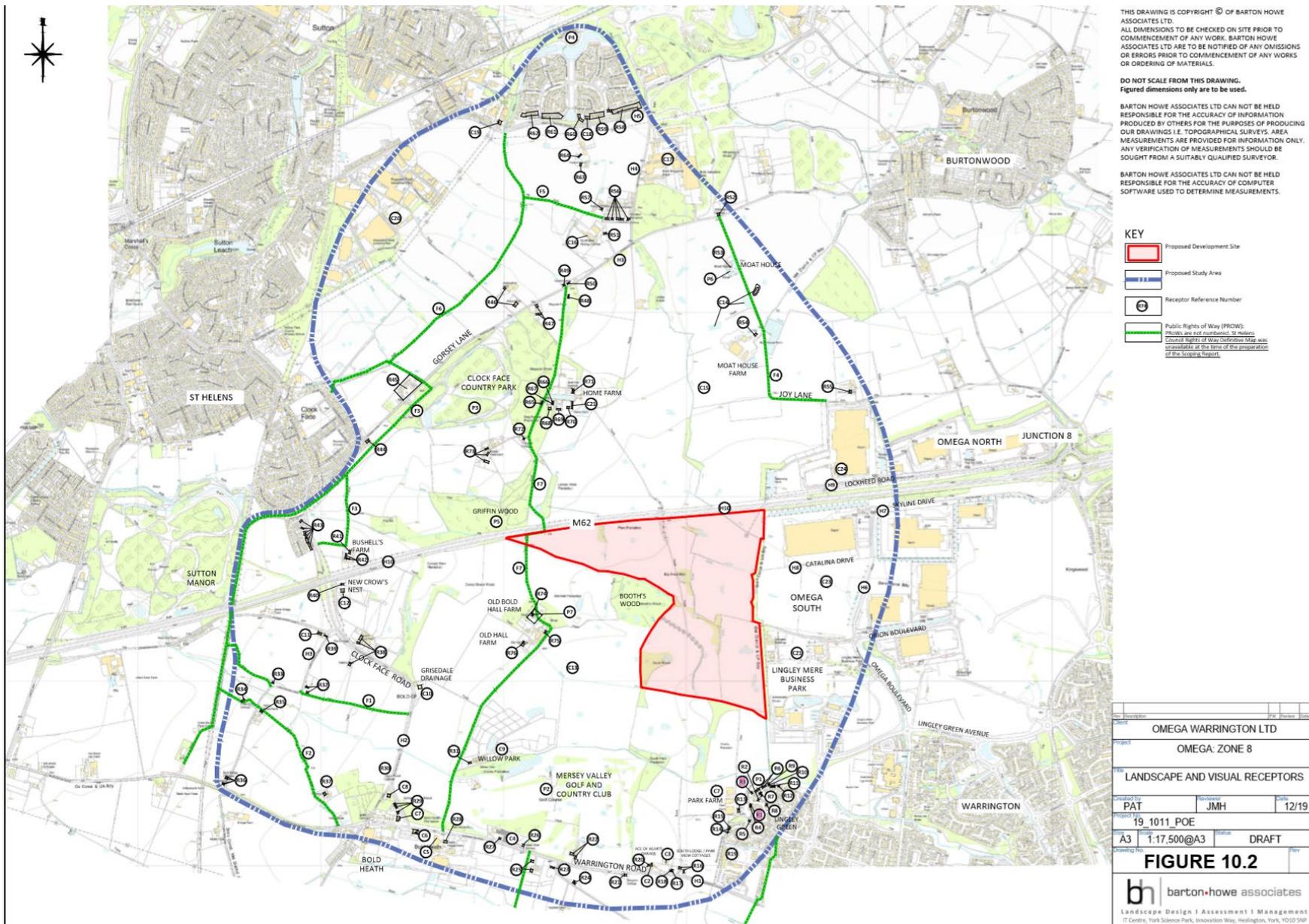


Figure 7: Camera position for Photo visualisation

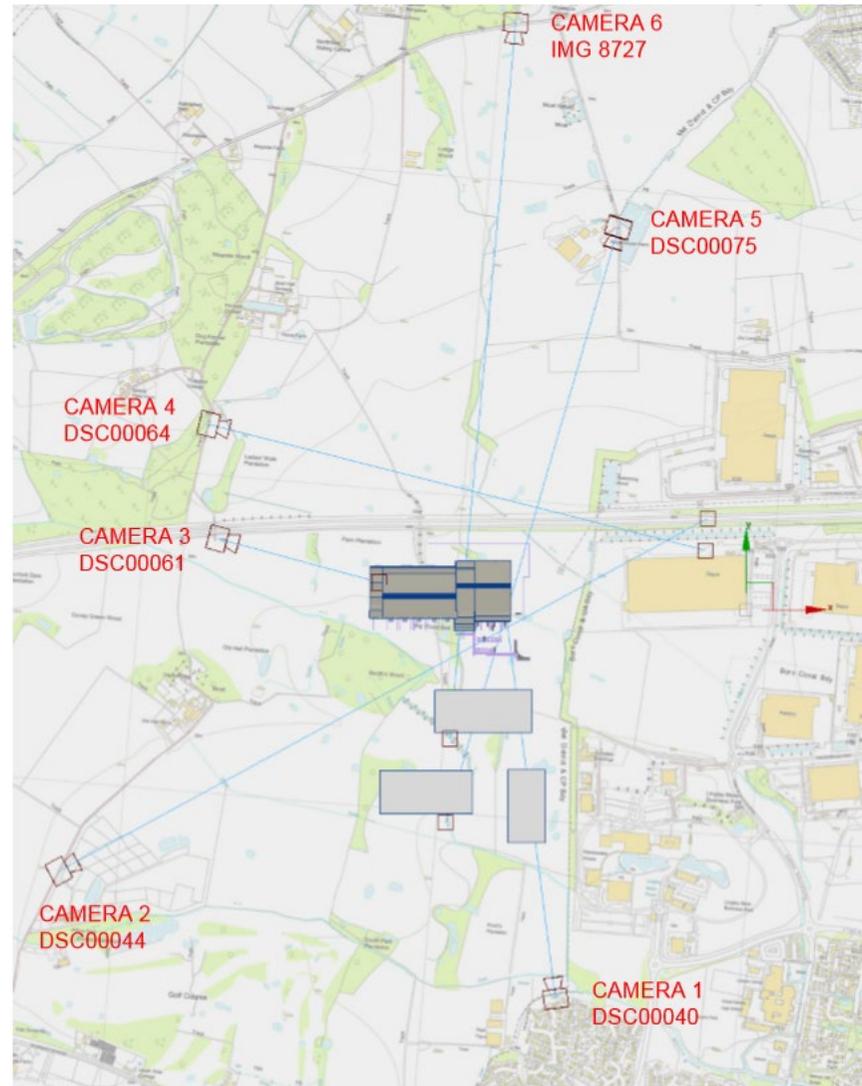


Figure 8: Visualisation camera 1



Figure 9: Visualisation camera 3



Figure 10: Location of where photographs were taken by the case officer.

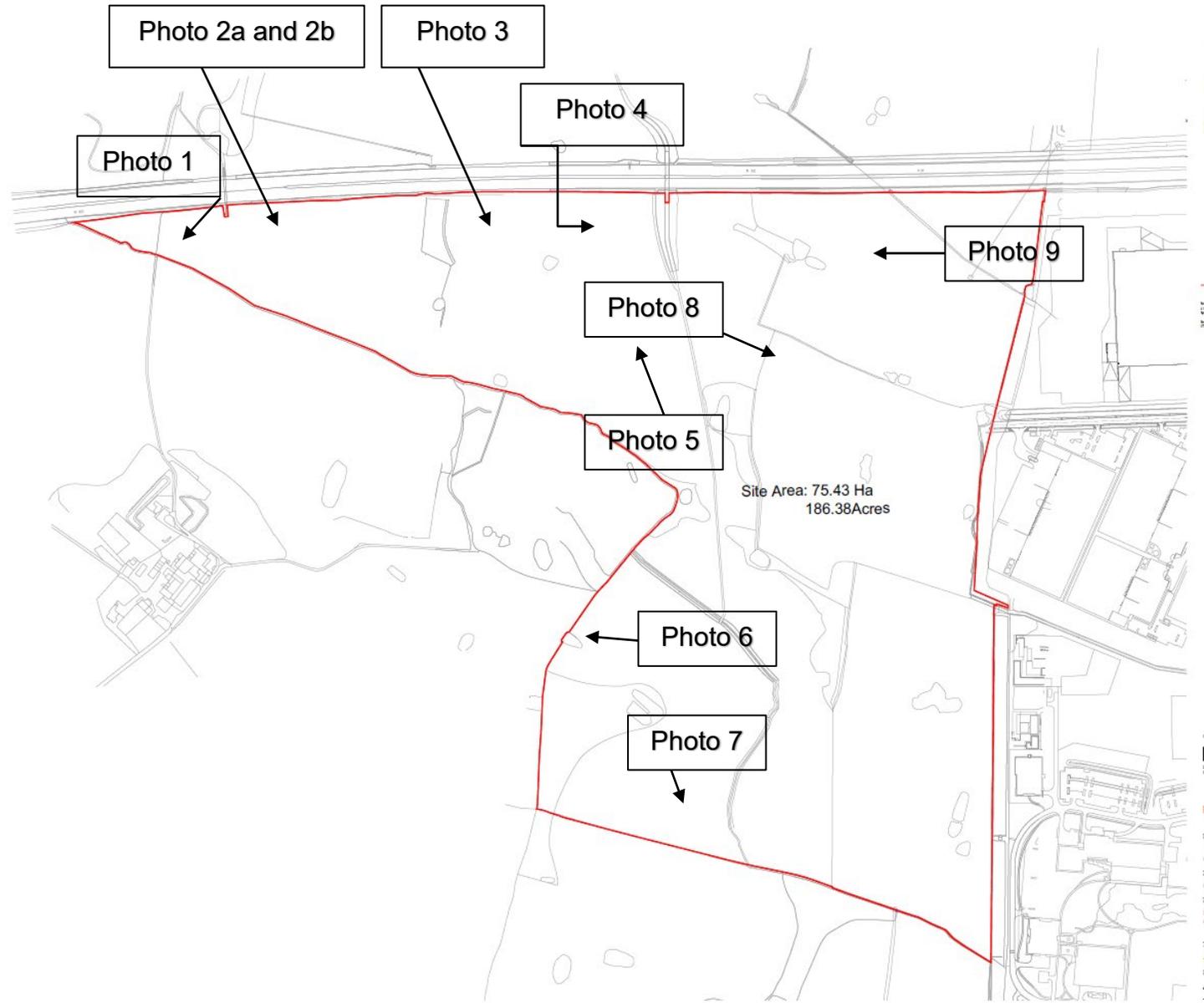


Photo 1: Taken from the footbridge across the M62 looking towards the north east corner of the site where the 'Greed Wedge' is proposed.



Photo 2a: Taken from the footbridge across the M62 looking towards the north east corner of the site where the 'Greed Wedge' is proposed.



Photo 2b: Taken from the footbridge across the M62 looking towards the north east corner of the site where the 'Greed Wedge' is proposed.



Photo 3: Photograph taken from within the site where the proposed SuDs would be located.

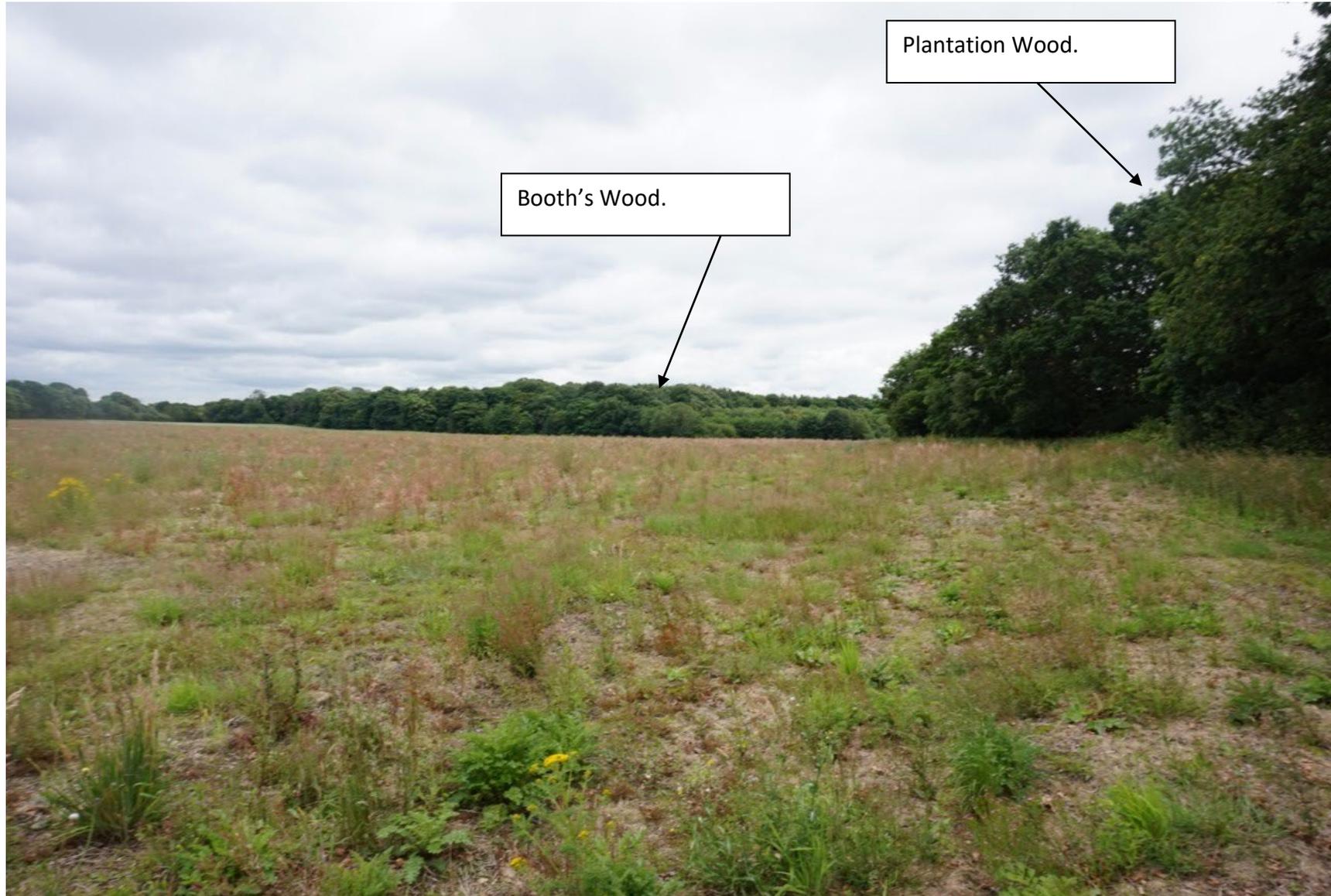


Photo 4: Looking towards the east of the site. This is where Unit 1 is proposed to be sited.



Photo 5: Looking towards the north towards the M62. This area is where Unit 1 is proposed to be sited.



Photo 6: Looking towards the west. This is the area of the outline.



Photo 7: Looking towards the south of the site.



Photo 8: Looking east.



Photo 9: Looking west



