

ST HELENS BOROUGH COUNCIL

PROPOSED DEVELOPMENT ON

Land to The West of Omega South & South of The M62 Bold, St Helens

SUMMARY PROOF

ALYN NICHOLLS: PLANNING MATTERS

ON BEHALF OF THE LOCAL PLANNING AUTHORITY

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SUMMARY OF PLANNING EVIDENCE

1. My evidence has set out an assessment of the overall planning balance for the proposed employment development on land to the west of Omega South and south of the M62 Motorway at Bold, St Helens. The application seeks full planning permission for the erection of a B8 logistics warehouse, with ancillary offices, of 81,570 square metres floorspace with associated car parking, infrastructure, and landscaping, covering a site area of 35 hectares. ("Phase 1"); and 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). The outline element of the proposal will be capable of accommodating up to 123,930 square metres floorspace. ("Phase 2").
2. Phase 1 has been designed to meet the specific needs of T.J. Morris/Home Bargains and it is intended they would be the end user. The Application does not seek a personal planning permission, but the Local Planning Authority accept on balance it is likely to be occupied by Home Bargains. This is not to be secured by the planning permission. Whilst the particular requirements of Home Bargains have determined the form and scale of the proposal, the application needs to be assessed outside confines of Homes Bargains occupation.
3. The application site comprises land, largely in agricultural use, located immediately adjacent to the Omega South employment area in Warrington Borough. It is also located adjacent to the M62 Motorway. Omega North employment area is to the north of the Motorway. The Application has access to the Motorway at Junction 8, which is about 1.7 km to the east of the Application Site via Catalina Approach and an existing access road through Omega South which extends to the boundary of the Application Site. The Site is immediately adjacent to a strategic location for economic growth where large-scale logistics development has taken place. The Application would comprise an extension to the existing strategic employment location.
4. The LCA undertaken to inform the St Helens Core Strategy referred to the area in which the application site is located as having a strong, open horizontal landform character and as rural area with no developed edge. The LCA assesses the landscape sensitivity of the area as being medium to high. However, the context of the application site has fundamentally changed with the development of Omega on the eastern boundary.
5. The Council's Green Belt Review 2016 forms part of the evidence for the emerging Local Plan. The application site falls within Parcel GBP_076 which is an extensive area and is subdivided into 5 parts. Part of the Site proposed to be allocated as a Strategic

Employment Site is assessed to have a “medium” role overall having regard to Green Belt purposes. Whilst the land contains no inappropriate development and there are open views across it, the Site is boarded by large scale development at Omega South and the M62. As a consequence, the area proposed to be removed from the Green Belt is considered to have only a moderate countryside character.

6. The Application Site also includes the north eastern part of area GBP_76_B, which is a more extensive open area. The overall assessment of the significance of the wider area to the Green Belt purposes by the Green Belt Review is that it has a “high+” role overall. It states that despite the area’s strong boundaries on three sides, because the area was so large in size and lacks strong boundaries within it, development of the sub-parcel would likely lead to unrestricted sprawl. The Preferred Options Draft of the emerging Local Plan proposed to designate the western part of the Application Site as safeguarded land. The Green Belt Review considered that area GBP_076_B continued to make a strong contribution to the purposes of the Green Belt, and it was discounted from further stages of the Green Belt Review and the proposed designation was not carried forward to the Submission draft Plan. I consider later in my evidence whether this conclusion reached on area GBP_076_B applies to the Application Site.
7. The conclusion of the Green Belt Review in respect of the land proposed to be released from the Green Belt and allocated as a Strategic Employment Site noted that the site was located within 1km of an area within the 20% most deprived population in the UK, and that its development for employment uses would help to reduce poverty and social exclusion. St Helens Borough is ranked as the 26th most deprived local authority in England out of a total of 317. The Site is within LSOA St Helens 022A which is ranked in the top 20% of deprived areas. This LSOA includes Bold and part of Clock Face. To the north of LSOA St Helens 022A are LSOAs St Helens 022C and 022D. These LSOAs include neighbourhoods at Four Acre Lane/Clock Face which is ranked in the top 10% of deprived areas. These areas are approximately 2.5km from the application site.
8. In relative terms, deprivation has increased between 2015 and 2019 for LSOAs 022A and 022D and for St Helens Borough as a whole.
9. Warrington Borough is not as disadvantaged as St Helens. However, there are significant pockets of deprivation within Chapelford and Old Hall Ward, about 3.5km to the east of the application site which ranks in the top 20% most deprived neighbourhoods. Bewsay and Whitecross and Orford Wards contain LSOAs which are ranked within the top 10% most deprived LSOAs in England. The challenge is to deliver such new employment development on appropriate sites, such that the positive impacts can be delivered acceptably.

10. The public transport improvements arising from the Proposal would make the Application Site accessible to St Helens' residents, including the areas of multiple deprivation. Significantly, there would be a wider benefit of public transport improvements opening up the whole of the Omega employment site and the job opportunities arising there to people living in St Helens. The Proposal would also improve the accessibility of Omega by public transport to residents of Warrington.
11. The emerging St Helens Local Plan proposes to remove land from the Green Belt and to allocate it as a Strategic Employment Site. This proposed allocation is intended to meet needs arising within Warrington. The emerging Warrington Local Plan reflects the intention that the extension to the Omega employment area into St Helens Borough would meet needs arising in Warrington.
12. Regarding the development plan, the social and economic regeneration of the Borough is at its' the heart. The appeal would be consistent with and contribute towards the delivery of the overarching objectives in a location close to an area of need. Policy CE 1 is positive and places no limitation on the amount of economic development. However, circumstances have changed because the identified employment land requirement is out of date by a substantial margin. The support for economic development and regeneration from this policy remains very relevant, but the aspiration of the policy for the quantum of employment land to be developed has been overtaken and is out of date. This is significant because it raises the question of the need to release land from the Green Belt to meet needs and the overarching objective of social and economic regeneration. Policy CSS 1 states that development will be restricted to existing settlement boundaries, unless it complies with Green Belt policy. This policy is informed by Policy CE 1. The implication is that settlement boundaries are out of date and proposals outside settlement limits must be addressed on a site-specific basis. In this case, the application is consistent with the broad development plan policy for St Helens and as I explain later, Warrington, objective of securing economic development.
13. Compliance with Core Strategy Policy CAS 5: Rural St Helens is dependent on whether the proposal can be justified in terms of very special circumstances to allow development tin the Green Belt.
14. The application of Green Belt policy in this case requires a judgement about whether there are very special circumstances to justify development. If very special circumstances can be demonstrated the proposal will be compliant with Green Belt policy within the Development Plan. A key consideration in this context is the impact of

the appeal on the openness of the Green Belt, the impact of the proposal on the purposes of the Green Belt and the landscape impact of the appeal scheme.

15. Regarding “other harm”, the conclusions on other matters relevant to the determination of the appeal can be summarised as follows:

- Significant harm would be caused to landscape character and visual amenity to be weighed against the Application in the overall planning balance. The Application would not accord with Core Strategy Policy CQL4 and the Bold Forest Park Area Action Plan;
- The application would cause a significant loss of natural habitat. On-site mitigation proposed. However, this will take time to mature to a point when it provides equivalent habitats to those presently on the site. Further, on site mitigation would not be adequate to compensate for the losses and a financial compensation is necessary having regard to NPPF paragraph 175. The loss of habitat would nevertheless be harmful to a moderate degree, particularly in the shorter term, and must be weighed in the planning balance;
- Regarding heritage, there would be harm caused to the setting of two listed buildings and the Old Moat. The harm would be “less than substantial” and NPPF paragraph 196 states that such harm should be weighed against the public benefits of the proposal. Consequently, whilst the harm caused to the setting of the listed buildings is towards the lower end of the spectrum of harm, it should nevertheless be given significant weight against the proposed development;
- 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. However, it is acknowledged that some modest harm would be caused by additional noise and this should weigh against the proposed development;
- There would be no material harm to climate change;
- Regarding air quality, there would be no exceedances of standards set out in DEFRA guidance or have a significant effect overall. However, whilst the development would be policy compliant, there would be some harm

that should be given very limited weight against the proposed development;

- The Application would result in a loss of 17.5 ha of BMV agricultural land, 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;
- There is no harm to residential amenity by virtue of overshadowing, undue dominance, privacy, or the effects of light pollution; and
- The Application would add additional traffic onto local roads. Limited harm is likely to arise to be weighed against the Application.

16. The balance is on one side substantial weight attaching to economic and social benefits of the development, taking into account that they could not be delivered elsewhere without encroaching into Green Belt; the locational advantages of the site because it would comprise a logical extension to an established and successful strategic location for employment development; the provision in the Application to make the Site (and Omega), more generally accessible by public transport from which areas of social need would benefit and regional and local policy support for the proposal, against the substantial weight attached to harm to the Green Belt and other harm arising from the proposal. **In my view, the Proposal, and the benefits it provides, taken as a whole, are in the best interests of St Helens and Warrington Boroughs and clearly outweigh the harm likely to arise from the development. My view is that there are very special circumstances to justify the development of this Green Belt site. Indeed, this is precisely the position which the Council is advancing through its emerging Local Plan process.**
17. Having regard to my assessment, the Proposal does not accord with Core Strategy Policy CQL4 and it is not consistent with the Bold Forest Area Action Plan. On the other hand, the Application is consistent with the primary objective of the Core Strategy which is the regeneration of the Borough. It accords with Core Strategy Policies CCS 1 and CE 1, and through the demonstration of very special circumstances, it accords with Policy CAS 5 and UDP Policies GB 1 and GB 2. My view is that the Application accords with the development plan taken as a whole.
18. Having regard to the duty arising from Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the impact of development on the setting of Listed Buildings, the impact on Listed Buildings affected would be “less than substantial” harm. NPPF paragraph 196 requires this harm to be weighed against the public benefits of the proposal, giving substantial weight to the harm caused.

19. The public benefits can be summarised as follows:
- The creation of employment and training opportunities;
 - A positive impact on parts of the Borough which are disadvantaged and score highly on the national index of deprivation through job creation and improving access to job opportunities at Omega;
 - A significant need to deliver employment sites in to meet a requirement for logistics development, in this case in Warrington;
 - A significant need to meet the needs of Home Bargains;
 - Direct, indirect, and catalytic economic benefits of the proposal;
20. NPPF paragraph 193 states that “great weight” should be given to the conservation of heritage assets, irrespective of whether harm is assessed to be “substantial” or “less than substantial” and that the more important the asset, the greater the weight should be. The public benefits of the proposal are formidable, particularly when account is taken of the absence of alternatives which are not Green Belt. Having regard to the policy and statutory requirements, weighing the public benefits of the development against the harm to heritage assets, the balance clearly falls in favour of granting planning permission.
21. Therefore, on balance, the application complies with the development plan and material considerations further support the grant of planning permission. This Application should be granted planning permission.