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ST HELENS COUNCIL LOCAL PLAN EXAMINATION IN PUBLIC

HEARING STATEMENT

WEEK 1 MATTER 1:

**INTRODUCTION TO THE HEARINGS, LEGAL COMPLIANCE,
PROCEDURAL REQUIREMENTS, AND THE DUTY TO COOPERATE**

**ON BEHALF OF
OMEGA ST HELENS LTD**

INTRODUCTION

This Hearing Statement has been prepared by Progress Planning Consultancy (PPC) on behalf of Omega St Helens Ltd (OSHL).

OSHL are in a conditional contract for the sale of the land referred to as the Omega South Western Extension, with the landowner Homes England. This land comprises 31.2ha and is subject to a proposed Employment Allocation (Site 1EA) in the St Helens Council Local Plan Submission Draft (LPSD).

The Site 1EA is currently the subject of a Hybrid planning application (P/2020/0061) for: Full Planning Permission for the erection of a B8 logistics warehouse (Unit 1: 81,570 sqm) offices and Outline Planning Permission for Manufacturing (B2) and Logistics (B8) development with ancillary offices (Totalling 205,500 sqm).

St Helens Council's Planning Committee resolved to grant planning permission on 27 October 2020 subject to a referral to the Secretary of State. The application was subsequently called-in by the Secretary of State and a Public Inquiry (APP/H4315/V/20/3265899) was held between the dates of 27 April – 06 May 2021.

This Hearing Statement supplements our client's formal representations to the previous stages of the Local Plan process and considers the Inspector's Matters, Issues and Questions (April 2021) in relation to Week 1 - Matter 1 of the St Helens Local Plan Examination in Public and in particular Issue 2, Questions 3, 4, 5, 6 and 7.

Matter 1: Introduction to the Hearings, Legal Compliance, Procedural Requirements, and the Duty to Cooperate

Issue 2: The Duty to Co-operate and in particular addressing development needs in the Housing Market Area and dealing with infrastructure constraints, particularly transport.

Question 3 - What is the current position on Warrington's LP and the SOCG between Warrington and St Helens?

In October 2020, Warrington Borough Council (WBC) decided to pause work on its Local Plan in response to the impact of COVID-19, along with the Government's proposed planning reforms and new housing calculation methodology.

It was WBC's intention to progress with the submission of the Local Plan for examination during the course of 2021, which is understood to still be the case.

The WBC Draft Statement of Common Ground (SOCG) was published alongside the Warrington Proposed Submission Version Local Plan 2017 - 2037 (March 2019). The SOCG was approved, subject to revisions, by St Helens Council's Cabinet on 18th September 2019. The revisions were proposed to be incorporated into a final Warrington Borough Council Statement of Common Ground which was due to be published when the Warrington Local Plan was submitted for examination in autumn 2020. However, as referred to above WBC

decided to pause work on its Local Plan so the SOCG remains in Draft form pending publication.

Question 4 - Are there any implications for the St Helens LP arising from the pause in the preparation of the Warrington LP, particularly for the Omega Allocation (1EA) which is intended to meet Warrington's needs?

The SOCG confirms that WBC and St Helens Council have agreed, in principle, that the western extension of Omega through the proposed allocation of Site 1EA, will contribute to meeting Warrington's employment needs.

WBC have subsequently offered no objection to the hybrid planning application P/2020/0061 (subject to a call-in by the Secretary of State) which included the development of Site 1EA for B2 / B8 employment uses.

A detailed summary of WBC's considerations can be found in Warrington's 5 August 2020 Development Management Committee Report which explains how the neighbouring borough considered the opportunity to provide its employment needs in St Helens and states at Para 9.6:

"Warrington would see benefits from the job creation as a result of the proposed development and in accordance with the Statement of Common Ground a proportion of the site will contribute towards our employment requirement in the emerging Local Plan."

The St Helens Submission Draft Local Plan (Para. 2.35) also states that:

"The land at Omega South Western Extension (site 1EA) has been identified, following discussions with Warrington Council officers carried out under the 'duty to cooperate', as being allocated to help meet the employment land needs of Warrington (rather than St Helens). This is due to its location immediately next to, and with its access to be provided through, the existing Omega employment area in Warrington."

The Warrington Submission Draft Local Plan Policy DEV4 (Economic Growth and Development), identifies a minimum requirement for 352 ha of employment land to support both local and strategic employment needs between 2017 and 2037 and explains that Omega's westward expansion into St Helens is one of four main employment sites that have been identified.

Sites totalling 215.83 hectares are proposed to be removed from the Green Belt (within Warrington) to help meet this need, with reliance also placed on Omega West in St Helens. The supporting text explains that Warrington Council believe they can currently only demonstrate an existing supply of 83.91 hectares of employment land within the urban area, with potential for a further 31.46 hectares within or close to the town centre.

WBC are reliant on Site 1EA to help meet its overall employment land supply requirements and there is no indication that when the Local Plan process is restarted that the issues which

led to the pause in the Local Plan process will have any impact on Warrington's strategic employment needs and the reliance on Site 1EA.

Question 5 - Is there sufficient evidence to demonstrate that the Council has cooperated effectively with adjoining authorities in exploring whether any of St Helens's housing and employment land needs can be met elsewhere or that St Helens does not need to meet the development needs of neighbouring authorities?

The Duty to Cooperate Statement (SD009) sets out how the Council has met its requirements under the Duty to Cooperate. Figure 2 of the Statement provides a list of the bodies with which the Council has "cooperated" under Section 33A of the PCPA, which comprises some 23 bodies including both Liverpool City Region and Greater Manchester Combined Authorities, Lancashire County Council and the following Local Authorities:

- Halton Borough Council
- Knowsley Metropolitan Borough Council
- Liverpool City Council
- Sefton Metropolitan Borough Council
- Warrington Borough Council
- West Lancashire Borough Council
- Wigan Metropolitan Borough Council
- Wirral Metropolitan Borough Council

Appendix 2 of the Statement details the cooperation undertaken on each Strategic Matter. Strategic Matter 3 relates to the amount and type of land needed for employment development in St Helens relative to nearby Authorities within and outside the Liverpool City Region.

Appendix 2 also sets out how Duty to Cooperate has been carried out, primarily through a range of joint working projects with other authorities including:

- The Liverpool City Region Housing & Economic Development Evidence Base Overview Study (2011) which covered the Liverpool City Region & West Lancashire.
- The Liverpool City Region Strategic Housing & Employment Land Market Assessment (SHELMA) 2018, which was subject to technical consultation with other bodies outside the Liverpool City Region including Wigan & Warrington.
- The Liverpool City Region Spatial Planning SOCG (2019)
- The Warrington Borough Council SOCG (2019)
- The Greater Manchester Authority Joint Green Belt Review to meet housing and employment needs; and
- Relevant consultation stages of the LPSD, which involved all relevant Duty to Cooperate bodies.

It is considered therefore that there is clear evidence that the Council has cooperated effectively with adjoining authorities when considering the employment needs of St Helens and the neighbouring authorities.

Question 6 - Does the absence of SOCG with other adjoining authorities e.g. Wigan have any implications for demonstrating whether effective cooperation has been maintained?

It has been necessary for St Helens Council to prepare a SOCG with Warrington due to the proposed allocation of sites in St Helens which will contribute to meeting Warrington's employment needs and / or which will impact on key infrastructure in Warrington, including Site 1EA.

The SOCG covers the administrative area of Warrington. This is considered to be appropriate given the varied and functional relationships it has with a number of authorities and the fact that WBC are not preparing any joint statutory Plans, unlike other adjoining authorities that either lie in the Liverpool City Region or Greater Manchester Combined Authority areas.

Part of the St Helens boundary with Warrington is formed by the urban settlement boundary of Warrington, which offers an opportunity for the natural expansion of Omega into St Helens to meet part of WBC's employment need. This is a unique opportunity that is considered to fully justify the SOCG between the Council and WBC.

A lack of SOCG with other adjoining authorities reflects the fact that these unique circumstances are not replicated elsewhere and does not imply that the Council have failed to maintain effective cooperation with any particular authority.

Question 7 - Is the uplift in the employment requirement to meet a sub-regional need for the logistics and warehousing sector supported by sufficient evidence of collaboration and effective joint working between St Helens and other strategic policy-making authorities?

The Duty to Cooperate Statement shows clear evidence of collaboration and effective joint working between the Council and other strategic policy-making authorities sufficient to demonstrate that a robust approach has been taken to the identification of employment land need in the LPSD.

The Liverpool City Region Local Enterprise Partnership (LCR LEP) produced a Growth Strategy in 2016 that seeks creation of over 100,000 additional jobs in the City Region by 2040, with a net increase of 20,000 businesses across the same period. It identifies a need to close the wealth gap as well as business and skills gaps. It also highlights the importance of Superport and Liverpool2 as catalysts for growth.

This led the LCR LEP to commission various studies including the *LCR Strategic Housing and Employment Land Assessment* (SUB001) which identified a need for at least 397ha of large scale B8 development across the City Region.

The October 2019 Statement of Common Ground between the LCR authorities entitled '*Liverpool City Region Spatial Planning Statement of Common Ground*' was prepared to demonstrate joint working and compliance with the Duty to Cooperate requirements across the seven authorities:

- Statement 3 of the LCR SOCG - confirms agreement to work collaboratively to identify the minimum proportions of the need for strategic B8 uses that need to be accommodated within each local authority (with supporting text referring to the need to identify sites for at least 397ha of land for large scale Class B8 floorspace driven by the transformative growth at the Port of Liverpool and other inward investment opportunities).
- Statement 4 of the LCR SOCG – advises that the authorities will continue involving each other when considering the case of localised changes to the Green Belt (with the supporting text noting the strategic need to reconsider Green Belt boundaries and acknowledges that St Helens has undertaken its Green Belt review).

The LCR SHELMA and SOCG further evidence the collaboration between the Council and other strategic policy-making authorities.

Summary Matter 1: Introduction to the Hearings, Legal Compliance, Procedural Requirements, and the Duty to Cooperate

WBC decided to paused work on its Local Plan in October 2020, however it is their intention to progress with the submission of the Local Plan for examination during the course of 2021.

WBC are reliant on Site 1EA to help meet its overall employment land supply requirements and there is no indication that when the Local Plan process is restarted that the issues which led to the pause in the Local Plan process will have any impact on Warrington’s strategic employment needs and the reliance on Site 1EA.

A lack of SOCG with other adjoining authorities (outwith the LCR) reflects that the unique circumstances shared between St Helens and Warrington are not replicated elsewhere and does not imply that the Council have failed to maintain effective cooperation with any particular authority.

The Duty to Cooperate Statement shows clear evidence of collaboration and effective joint working between the Council and other strategic policy-making authorities sufficient to demonstrate that a robust approach has been taken to the identification of employment land need in the LPSD.