

On Behalf of Homes England

**St Helens Council Local Plan  
Examination in Public  
Hearing Statement**

Allocations, Safeguarded Land and  
Green Boundaries

Week 2, Matter 4

This report takes into account the particular instructions and requirements of our client.

## Introduction

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This Hearing Statement has been prepared by Ove Arup & Partners Ltd ('Arup') on behalf of Homes England.

Homes England owns the land referred to as the Omega South Western Extension. The land comprises 31.2ha and is subject to a proposed Employment Allocation (Site 1EA) in the St Helens Council Local Plan Submission Draft. Homes England is therefore providing this Hearing Statement in their capacity as landowner, not as a prescribed Governmental body.

This Hearing Statement supplements Homes England's previous formal representations. The following responds to specific questions set out in the Inspector's Matters, Issues and Questions (April 2021) in relation to Week 2, Matter 4, particularly Issue 1, Questions 1 to 10 (excluding Question 7). Where the answers to certain questions have been considered relevant to one another, these have been grouped together for efficiency.

The answers are relevant to the Site 1EA and do not refer to any other sites that are discussed within this Matter or the Inspector's questions.

## **Matter 4, Issue 1: Omega South Western Extension (1EA) and Omega North Western Extension (1ES)**

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### **Question 1: Do the Green Belt assessments support the allocation and safeguarded land and demonstrate exceptional circumstance for the removal of the land from the Green Belt?**

- 1.1 The Green Belt Review 2018 (SD020) supports the allocation of Site 1EA and demonstrates exceptional circumstances for the removal of the land from the Green Belt. Paragraph 1.18 identifies a shortfall of land for employment use within the Borough, noting that Warrington Borough Council (WBC) also has identified land shortages. This is also established in the Statement of Common Ground (SD012).
- 1.2 The Review followed a clearly defined and logical three-stage process based on national policy and guidance. Stage 1A involved the identification of parcels for assessment and Stage 1B assessed the parcels against Green Belt purposes. The assessment considered each parcel's contribution to that purpose, applying a score of 'low', 'medium', or 'high'. An overall assessment score was then applied using 'low', 'medium', 'high', or 'high+'. Parcels which obtained a 'high' or 'high+' were discounted and not taken forward.
- 1.3 Stage 2A identified parcels with 'prohibitive' constraints. Parcels with no 'prohibitive' constraints were taken forward to Stage 2B. This involved the assessment of development potential within remaining parcels. This considered constraints, transport accessibility, and known ownership and viability evidence. A conclusion was then made on the overall development potential of the parcel based on 'good', 'medium' or 'limited'.
- 1.4 Stage 3A ranks the parcels which were taken forward, Stage 3B identifies parcels most suitable for allocation and safeguarding. The ranking process involved numerical scores being attributed to the qualitative scores from the preceding stages.
- 1.5 At Stage 1A, Site 1EA is identified as parcel GBP\_076c. At Stage 1B parcel GBP\_076c scored 'medium' overall and was taken forward. The assessment found that, while the parcel was relatively open, its boundaries were likely to be able to contain further development and neighbouring development at Omega South. The M62 limited its countryside character.
- 1.6 At Stage 2A, no 'prohibitive' constraints to development were identified. At Stage 2B, the parcel scored 'medium', it was considered likely to come forward during the Plan period. At Stage 3A, the parcel's overall score was '4' and it ranked alongside other potential employment locations. At Stage 3B, the longlist of parcels was refined and parcel GBP\_076c was identified as being suitable for allocation to meet Warrington's employment need. Table 5.2 of the Review, (SD020, page 54) concludes that development of parcel GBP\_076c would form a natural extension of the adjacent Omega employment area.

1.7 Site 1EA (parcel GBP\_076c) was considered to make a lower contribution to Green Belt purposes and was therefore taken forward. After considering prohibitive constraints and developability, it was ranked as a suitable site for allocation and release from the Green Belt.

#### Summary Matter 4, Question 1

The Green Belt Review supports the allocation of Site 1EA for employment use. It follows a logical and clearly defined site selection process, considering lower performing Green Belt sites in the first instance and then prohibitive constraints and developability.

The Green Belt Review concludes that Site 1EA is suitable for allocation and demonstrates the site-specific exceptional circumstances for its removal from the Green Belt.

**Question 2: In relation to these exceptional circumstances, is Site 1EA justified to meet Warrington's needs, having particular regard to the stage that Warrington's LP has reached?**

1.8 Site 1EA is anticipated to meet employment needs in Warrington but is located entirely in St Helens. The Statement of Common Ground (SD012, Section 4.7) confirms the intentions of both Councils to fulfil this obligation through the preparation of their respective Local Plans.

1.9 The Development Options and Site Assessment Report (March 2019) that forms part of Warrington's Local Plan evidence base assesses locations for employment development. Site 1EA was identified as a preferred site to help meet Warrington's employment land requirements as a result of the Duty to Cooperate discussions

1.10 Further evidence underpinning both the St Helens and Warrington Local Plans supports an expansion of Omega from an employment land needs perspective. The Employment Land Needs Study (EMP001) and the Warrington Economic Development Needs Assessment (February 2019) confirm that research predicts a need for almost 400 ha of land for logistics uses in the sub region to 2037, which extends to both St Helens and Warrington. There is market demand for large scale B2 and B8 uses and there is no suggestion of this demand reducing. The expansion of Omega into Omega West will respond directly to known employment land needs and is consistent with the evidence base in both local plans.

1.11 Therefore, exceptional circumstances exist to release Site 1EA from the Green Belt under the Duty to Cooperate in order to help Warrington meet their employment land requirements. From a strategic perspective and when considered against all reasonable alternatives, directing additional employment growth towards Site 1EA is justified and supported by evidence.

1.12 WBC have now restarted work on their Local Plan and there is no indication that their strategic employment need has changed. WBC are therefore reliant on Site 1EA to help meet their overall employment land supply requirement.

1.13 Further, WBC has offered no objection to the hybrid planning application P/2020/0061 which included the development of Site 1EA for B2/B8 employment uses. Neither did they make any objection to the associated call-in inquiry (PINS Reference APP/H4315/V/20/3265899). The planning application evidences a committed interest into the delivery of this site and shows how the site can come forward during the early stages of the Plan period.

#### Summary Matter 4, Question 2

The evidence base demonstrates Site 1EA is justified to meet Warrington's needs and therefore exceptional circumstances exist to release this site from the Green Belt. WBC have restarted their Local Plan process and there is no indication that their strategic employment need has changed.

#### **Question 3: If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?**

- 1.14 The Local Plan Submission Draft seeks to meet the Borough's objectively assessed employment land needs, which have been assessed using a methodology which accords with the NPPF and PPG. The evidence base establishes that Green Belt land will be required to meet future employment needs, which is considered an exceptional circumstance. The evidence base therefore provides justification for the Plan to allocate sites for employment uses and remove them from Green Belt.
- 1.15 The Developing the Strategy Background Paper (SD026, Section 8) provides detailed justification for the Green Belt Review in St Helens, showing clear accord with national policy. This paper sets out the history of Green Belt, stating the Borough's boundaries have remained substantially unaltered since 1983. Since then, there has been a change in market trends and the undersupply of land to deliver employment needs.
- 1.16 The Allocations Local Plan Economic Evidence Paper (EMP003, section 7.4.1) concludes that large scale logistics is the most active market in the region. Therefore, there has been a requirement to revisit the Green Belt to consider partial release.
- 1.17 St Helens Council has carefully considered whether employment land needs can be met without the need for further Green Belt release. Through Duty to Cooperate, it was established that none of the neighbouring authorities could identify spare capacity that could help meet St Helens' needs, specifically the particular need for large scale Class B8 uses.
- 1.18 Due to this large-scale requirement of land, there is no scope to substantially increase the supply of deliverable land within St Helens' urban area. The Green Belt Review (SD020, section 1.14) sets out that substantial shortfalls have been identified in the overall quantity, quality and range of sites within existing urban areas that can be made available over the Local Plan period, both within the Borough and in other nearby locations.

1.19 The Local Plan Submission Draft at Policy LPA04 ensures that sufficient employment land is allocated, including Site 1EA to meet anticipated development needs within the B1, B2 and B8 use classes. The Local Plan sets out how the allocation of Site 1EA would help to meet Warrington's Employment Land Needs in section 4.12.15. It states that, under the Duty to Cooperate, it has been identified that Warrington is unlikely to accommodate all their employment land needs within the plan period. Therefore, St Helens Council has agreed to allocate 31.22ha (site 1EA) to help WBC meet these needs under exceptional circumstances.

### Summary Matter 4, Question 3

The Plan's Evidence Base clearly articulates the exceptional circumstances case which justifies the release of Site 1EA from the Green Belt.

**Question 4: Are the configuration and scale of the allocation and safeguarded land justified taking into account development needs and the Green Belt assessments**

**Question 8: Are the indicative site areas and appropriate uses for Sites 1EA and 1ES within Tables 4.1 and 4.7 justified and effective?**

*Justification of configuration, scale and site area*

1.20 The Green Belt Review (SD020, page 54) supports the allocation of Site 1EA stating that development would form a natural extension of the adjacent Omega employment area. The flat topography of the site presents an excellent opportunity for the development of large-scale employment uses. Occupier requirements for large building floorplates, with the ability to be docked on at least two sides, level access and service yards can be easily accommodated without the need for significant groundworks. Access would be taken directly from Junction 8 of the M62 through the existing Omega estate roads.

1.21 Further evidence underpinning both the St Helens and Warrington Local Plans supports an expansion of Omega from an employment land needs perspective. The Employment Land Needs Study (EMP001) and the Warrington Economic Development Needs Assessment (February 2019) confirm that research predicts a need for almost 400 ha of land for logistics uses in the sub region to 2037, which extends to both St Helens and Warrington. There is market demand for large scale B2 and B8 uses and there is no suggestion of this demand reducing. The expansion of Omega into Omega West will respond directly to known employment land needs and is consistent with the evidence base in both local plans.

*Justification of appropriate use and development needs*

1.22 There is a strong demand for employment sites to meet the market needs for B8 development. The Allocations Local Plan Economic Evidence Paper (EMP003, Para. 7.4.1) concludes that large-scale logistics is the most active market in the region and represents a clear opportunity for Liverpool City Region.

- 1.23 The Green Belt Review (SD020) confirms that none of the sites in the urban areas of the Borough are suitable for large-scale distribution on the basis that they fail to satisfy the selection criteria identified by the market for such uses. As a consequence, the Green Belt Review concludes that there is zero provision of suitable land for large-scale distribution uses within the Borough's identified employment land supply in the urban areas
- 1.24 The Development Options and Site Assessment Technical Report (March 2019) that forms part of Warrington's Local Plan evidence base assesses locations for employment development. Various sites were assessed and discounted, with valid reasoning provided. Site 1EA was identified as a preferred site to help meet Warrington's employment land requirements as a result of the Duty to Cooperate discussions with St Helens Council (SD012).
- 1.25 The existing Omega site has delivered more than 7.2m sqft of B2/B8 floorspace and created over 6,000 new jobs since 2013. Developer and occupier interests are demonstrated by the recent Call-In applications at Omega West (PINS Reference APP/H4315/V/20/3265899) which includes Sites 1EA. Despite the lack of allocation through the Local Plan, developers and occupiers are still interested in this land which further demonstrates the suitability of this site for B2/B8 use.
- 1.26 Therefore, the use is considered appropriate and the evidence base and interest in the site justifies this allocation to effectively meet the region's employment needs.

#### Summary Matter 4, Question 4 and 8

The scale and allocated site area of Site 1EA is justified through the evidence base taking account of the demand and region's needs for large scale warehousing.

The configuration of the site is justified given that the Green Belt Review concludes that the Site would form a natural extension of the adjacent Omega site. The site's allocated use is justified through the evidence base and will be effective in ensuring employment needs during the Plan period.

**Question 5: Would the adverse impacts of developing Site 1EA (Green Belt impacts, traffic, air quality) outweigh the benefits? and**

**Question 9: Are the requirements for Site 1EA within Policy LPA04.1 (Sections 2, 3, 4 and 5) and Appendix 5 (Site Profile) and for Site 1ES within Appendix 7 (Site Profile) positively prepared and effective?**

- 1.27 NPPF paragraph 35 set out how Plans should be considered 'sound' if they are "positively prepared" and "effective".

*35(a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*35(c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground;*

1.28 Policy LPA04.1 is a strategic policy. In line with NPPF policy (paragraph 23 and 24), Site 1EA has been brought forward and allocated to address objectively assessed needs that have been identified through a Duty to Cooperate with WBC. The approach is confirmed through the Statement of Common Ground (SD012).

1.29 The St Helens Employment Land Needs Study (EMP001) and the Warrington Economic Development Needs Assessment (February 2019) evidence base underpinning both the St Helens and Warrington Local Plans supports an expansion of Omega from an employment land needs perspective.

1.30 The Green Belt Review (SD020, page 54) supports the allocation stating that development here would form a natural extension of the adjacent Omega employment area. The Review concluded that although the sub-parcel includes high quality agricultural land, the harm that would be caused by the loss of this is balanced against the potential benefits from providing further employment uses, making an allocation suitable.

1.31 The process of allocating Site 1EA through Policy LPA04.1 has therefore been evidenced to ensure that it has been written in a positively prepared and effective manner. In turn, this has led to a robust policy that seeks to ensure adverse impacts are overcome during the determination of planning applications using this policy.

1.32 Paragraph 21 of the NPPF states “strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies”.

1.33 Therefore, subsequent applications should be considered on their own merits and considered in line with other policies of the plan. It will be for the detailed planning application to show how adverse impacts are overcome through proposals.

1.34 Policy LPA04.1 sets out a number of requirements to ensure applicants are held to account to ensure development proposals are prepared positively and bring benefits to the site and the region.

#### **Summary Matter 4, Question 5 and 9**

Policy LPA0.41 seeks to allocate Site 1EA for strategic employment land to meet the objectively assessed needs of WBC. This has been agreed in principle by both Councils through the Duty to Cooperate and therefore the policy has been positively prepared and is effective.

This process ensures Policy LPA0.41 is used by applicants to comply to several requirements when producing detailed applications that consider how adverse effects are mitigated against.



**Question 6: Is Site 1EA deliverable, taking into account any offsite transport infrastructure required?**

- 1.35 Site 1EA is a highly deliverable and achievable employment site with the potential to deliver a significant quantum of jobs in a highly accessible location with proven market demand, in a location adjacent to a premier employment location.
- 1.36 Site 1EA is owned by Homes England with access into the site through the highway network on the neighbouring Omega site. The site is currently vacant and there are no known legal restrictions or ransoms that affect the site. As such there are no third-party interdependencies related to the site which could delay delivery.
- 1.37 Homes England have entered a conditional contract with Omega St Helens Ltd (OSHL) for the sale of the land. OSHL submitted a planning application that includes Site 1EA which is currently the subject of a planning application (P/2020/0061) for B2/B8 uses. St Helens Council's Planning Committee resolved to grant planning permission on 27 October 2020. The application was subsequently called in by the Secretary of State and a Public Inquiry (APP/H4315/V/20/3265899) was held between 27th April and 6th May 2021.
- 1.38 The application's Transport Assessment concluded that residual effects of the development with mitigation, would mean that the strategic road network would continue to operate within capacity, with no adverse impact to safety. Accordingly, consistent with the aspirations of the NPPF (paragraph 109), the application would not lead to an unacceptable impact on highway safety, nor would the residual impacts on the road network be severe. Access would be taken directly from Junction 8 of the M62 through the existing Omega estate roads, would not involve any residential roads.
- 1.39 No objections to the application on highway grounds were received from key consultees including highways departments from both Councils and Highways England. Therefore, Site 1EA would similarly have no unacceptable impact on highway safety and there are no off-site highways infrastructure constraints that prevent the delivery of the site.

**Summary Matter 4, Question 6**

Site 1EA is deliverable, it is sustainably located next to the existing Omega site and is owned by a landowner who has entered into a conditional contract making it immediately available. Detailed assessments undertaken to support the recent planning application involving Site 1EA have considered the transport infrastructure and there have been no objections by statutory consultees or either authority on highway grounds. Access would be taken directly from Junction 8 of the M62 through the existing Omega estate roads.

**Question 7: Should 1ES be allocated rather than safeguarded so that it can contribute to meeting needs in the Plan period**

N/A

**Question 10: Are there any barriers to Site 1EA coming forward in the Plan period?**

1.40 There are no physical or technical constraints which would prevent the development of the site for employment uses in the plan period. This is evidenced by:

- Homes England as landowner entering into a conditional contract with OSHL for the sale of the land, showing willingness to develop the site.
- OSHL submitting a planning application that includes Site 1EA (P/2020/0061) that has been granted planning permission by St Helens Council (pending the Secretary of State's decision) with no objections from statutory consultees showing further evidence of demand to develop this site out in the near future;
- The site having no known legal restrictions, covenants, clawbacks or ransoms that affect the site. As such there are no third-party interdependencies related to the site which could delay its delivery.

1.41 The above and the clear demand for development on this site shows, that it is very likely the site would come forward not just within the plan period but in the early stages of the Plan period.

**Summary Matter 4, Question 10**

Site 1EA is a highly deliverable and achievable employment site with the potential to deliver a significant quantum of jobs in a highly accessible location with proven market demand, in a location adjacent to the recognised premier employment location at Omega.

There are no barriers to prevent this scheme coming forward and through the current interest it is likely that the site will be developed during the early stages of the Plan period.