

EiP Statement

St Helens Delivery and Allocations Local Plan

Bericote Properties Limited

Representor ID RO1656

Our ref 41575/12/CM/AMCL
Date 21 May 2021

Subject **Matter 4 - Allocations, Safeguarded Land and Green Belt Boundaries**

1.0 Introduction

- 1.1 Lichfields is instructed by Bericote Properties Limited [Bericote] to make representations on its behalf to the St Helens Borough Local Plan 2020-2035 [SHBLP].
- 1.2 This Statement has been prepared in response to the Matters, Issues and Questions [MIQs] raised by the Inspector for the Matter 4 Examination in Public [EiP] hearing session.
- 1.3 Separate representations have been submitted in respect of the following Matters:
- 1 Matter 1 – Legal Compliance, Procedural Requirements, and the Duty to Cooperate;
 - 2 Matter 2 - Housing and Employment Needs and Requirements;
 - 3 Matter 6 – Employment Land Supply, Employment Policies and Town Centres.
- 1.4 These Matter Papers representations should be read in conjunction with previous submissions on the SHBLP [Representator ID RO1656] as well as those made on other Matters listed above.
- 1.5 These Matters Papers have been prepared in the context of Bericote’s Florida Farm site [Local Plan Allocation Site Reference: 2EA] on which hybrid planning permission (ref. P/2016/0608/HYBR) was granted on 27th April 2017. The outline element secured permission for the erection of 2no. commercial/industrial buildings providing up to 135,000sq. m of employment floorspace (B2/B8 uses with up to 10,000 square metres of office accommodation). Reserved matters approval has been secured for Unit 1 (34,114 sq. m) and Unit 2 (48,634 sq. m) and both buildings are now completed and occupied by Amazon and Kellogg’s respectively.
- 1.6 Although Unit 1 and 2 have been completed and occupied, the full development potential of the Florida Farm site has not been reached. The EIA undertaken as part of the hybrid planning application assessed the environmental effects of up to 135,000 sq. m. of employment floorspace and only 82,748 sq. m of B2/B8 floorspace was delivered as part of the reserved matters approvals. The full quantum of development that could be achieved on the site has therefore not been realised. A residual parcel of land on the site (gross site area of 2.26ha) remains available and it is Bericote’s intention to bring forward all non-strategic employment development on the site, within the boundary of Allocation 2EA. A proposed Unit 3 Site Layout Plan (Appendix 1) shows the residual area of land to the south west of the Unit 2 parcel within the boundary of Allocation 2EA, and also illustrates the proposed layout of the unit which could be accommodated within the plot. A pre-application meeting was undertaken with the Council in July 2019 to discuss the submission of an application for a third unit on the site.

- 1.7 Bericote is therefore concerned that Allocation 2EA is proposed to be removed from the Plan as a Main Modification. This reason for this appears to be due to the Inspector coming to a view that the site has been completed and the Council not clarifying the position as set out above. Bericote therefore strongly oppose the removal of Allocation 2EA from the SHBLP.
- 1.8 This statement expands upon Bericote’s previous representations made throughout the Local Plan preparation process in light of the Inspector’s specific issues and questions. This statement also directly responds to the suggested removal of Allocation 2EA from the Local Plan. As it is considered by Bericote that Allocation 2EA should be retained in the SHBLP, it is also necessary to respond to questions 20, 24, 25 and 27.
- 1.9 Where relevant, the comments made are assessed against the tests of soundness established by the National Planning Policy Framework [the Framework] and the National Planning Policy Practice Guidance [Practice Guidance].

2.0 Planning Issues

Session 5 Issue 3: Florida Farm North (2EA), land north of Penny Lane (3EA), land south of Penny Lane (4EA), land to west of Haydock Industrial Estate (5EA), land west of Millfield Lane, Haydock (6EA), land at Florida Farm, Haydock (2HA), and land north-east of Junction 23 (M6), Haydock (2ES).

Q19. Does the Plan reflect the current status of Florida Farm North (2EA) and land north of Penny Lane (3EA) (completed sites)?

- 2.1 The Employment Land Need and Supply [ELNS] Background Paper (SD022) provided an update to SHBLP Table 4.4, which has since been further updated as set out in the Updated Employment and Housing Land Supply Position as of 31.03.2021 (May 2021) (SHBC007). It sets out at Appendix 4 that as of 31 March 2021 the supply of developable employment land was 4.04ha, which takes account of the fact that Sites 2EA, 3EA and 10EA have all been ‘completed’ and are therefore not included within the up to date supply. The Inspector initially acknowledged this position and previously stated within the MIQs that Site 2EA is completed and occupied and therefore should be treated as such rather than an allocation. Bericote is concerned that if the allocation is removed then what designation will the Florida Farm Site benefit from in the Plan. This has not been clearly outlined by either the Council or the Inspector in its discussions. Bericote is concerned by the fact that if this is not clarified then the existing occupiers on the site may not be able to make any changes to the site without demonstrating very special circumstances, if it remains as a developed site in the Green Belt. This would be wholly unacceptable to them.
- 2.2 Furthermore, following the publication of the Council’s response to the Inspectors’ preliminary questions on Site Allocations and Safeguarded Land [SHBC005], Lichfields raised concerns regarding the ‘completed’ status of Florida Farm North. It was made clear that a residual parcel of land within the boundary of the allocated site (2.26ha) remains available and it is Bericote’s intention to bring forward additional employment development. The full quantum of development that could be achieved on the site has not been realised. It has always been Bericote’s intention to develop the site to its full potential, and the Council is aware of this aspiration having undertaken pre-application discussions with Bericote on 5th July 2019.
- 2.3 Bericote therefore considers that the SHBLP Submission Draft (with the changes proposed as Main Modifications) does not reflect the current status of Florida Farm North (Allocation 2EA).

- 2.4 The correct status of Florida Farm North is that Units 1 and 2 have been completed and occupied, but a residual 2.26ha parcel of land remains available within the site for non-strategic employment related development.
- 2.5 The fact that planning permission has been implemented for Units 1 and 2 does not mean that the site is complete, and given that it has already been demonstrated that the land no longer fulfils any Green Belt function, it is entirely appropriate to fully utilise the remaining development land within the site.
- 2.6 It is imperative that the correct status of Florida Farm North is reflected in the SHBLP, as it illogical for a substantially built-out and completed development to remain within the Green Belt. This would place additional policy burdens on existing occupiers and restrict the ability of Bericote to bring forward the remaining land within the site for additional employment development.

Q20. Do the Green Belt assessments support the allocation of Sites 4EA, 5EA and 6EA and Site 2HA and the safeguarding of Site 2ES and demonstrate exceptional circumstances for the removal of the land from the Green Belt?

- 2.7 The Green Belt Review (December 2018), prepared as part of the evidence base to inform the SHBLP, sets out the exceptional circumstances case for the removal of land in the Green Belt for employment purposes at para. 1.18. It is stated that St Helens has a need for at least 215.47 hectares (ha) of land to be developed for employment uses between 2018 and 2035, with a total 11.75ha of land identified in the urban area.
- 2.8 No neighbouring district had been identified that could demonstrably help meet this need, which at the time of publication of the Green Belt Review meant that 203.65ha of land within the St Helens Green Belt was required for release to meet needs up to 2035. Bericote acknowledges that the requirement figure has since been updated to reflect the position as at 31 March 2021 (Updated Employment and Housing Land Supply Position as of 31.03.2021 (May 2021) (SHBC007), but the release of Green Belt is still required.
- 1.1 The 2018 Green Belt Review supports the removal of Site 2EA from the Green Belt and its allocation. The Review sets out that the site no longer serves a Green Belt purpose, and states the following in relation to sub-parcel GBP_031a (Florida Farm North, Slag Lane, Haydock) (Figure 1):

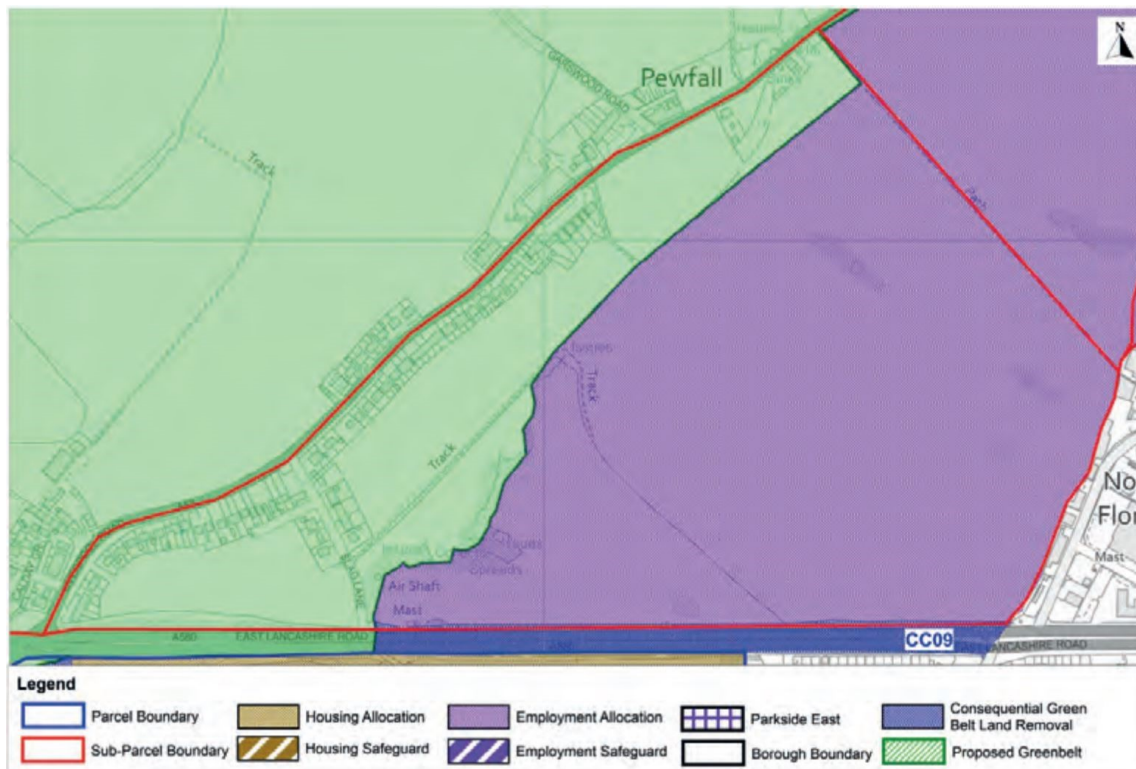
“There are no significant constraints that apply to the sub-parcel. It is considered appropriate to allocate the site for employment use in the emerging Local Plan, to meet the needs of the Borough in this Plan period.

The 2018 Sustainability Appraisal (SA) concluded that the sub-parcel is located within 1km of an area that falls within the 20% most deprived population in the UK, and development here for employment use would therefore help to reduce poverty and social exclusion.

As the sub-parcel benefits from planning consent for B8 employment development; there would be no benefit gained by retaining it in the Green Belt.”¹

¹ St Helens Green Belt Review (Table 5.2: Results of Stage 3 for employment uses – allocate, safeguard or discount)

Figure 1 Green Belt Parcel 031a (Florida Farm North)



Source: SHBLP Green Belt Review 2018

2.9 The majority of the development is now built out and occupied and it would therefore be illogical to not allocate the site within the SHBLP. The Council's evidence base is clear that there would be no benefit gained by retaining Site 2EA in the Green Belt. It is therefore entirely sound to retain the allocation within the SHBLP to enable the residual parcel of land to come forward and maximise the development potential of the land. Bericote considers that the Florida Farm site (Appendix 2) should be removed in its entirety from the Green Belt and allocated for employment development.

Q21. If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?

2.10 Bericote considers that the evidence for exceptional circumstances has been clearly articulated within the SHBLP Submission Draft. The Reasoned Justification (para. 4.12) to Policy LPA04 clearly set out a residual employment land requirement of 215.4ha at Table 4.4.

2.11 However, Bericote considers that direct reference should be included within the Reasoned Justification of Policy LPA04 to articulate that exceptional circumstances exist and have been robustly demonstrated by the Council. This should clearly outline that the existing developable employment land supply within the urban area in the Borough does not meet the identified need, and the release of Green Belt land is therefore required to meet this need.

Q23. Is the configuration and scale of the allocations and safeguarded land justified taking into account development needs and the Green Belt assessments?

2.12 The configuration and scale of the majority of the Florida Farm Site (Allocation 2EA) has been approved through the grant of hybrid planning permission (ref. P/2016/0608/HYBR). The

outline element secured permission for the erection of 2no. commercial/industrial buildings providing up to 135,000sq. m of employment floorspace. Reserved matters approval has been secured for Unit 1 (34,114 sq. m) and Unit 2 (48,634 sq. m). Both development plots were configured to take into account development needs, and the scale of the plots were considered acceptable by virtue of the hybrid planning permission and reserved matters approvals.

- 2.13 However, Bericote reiterate that that a residual parcel of land remains available for non-strategic employment development within the boundary of Site 2EA, the proposed configuration and scale of which is demonstrated by the Unit 3 Site Layout Plan (Appendix 1). The Unit 3 plot has undergone a series of careful design considerations to ensure the proposed layout takes account of the as-built Unit 1 and Unit 2 buildings, and is arranged to maximise the efficient use of the functional spaces on the site.
- 2.14 The land no longer contributes to the purposes of the Green Belt due to the development of Units 1 and 2 and the existing development surrounding the site. Bericote considers that the site should be removed in its entirety from the Green Belt as there will be no Green Belt related impact, and allocated for employment development.

Q24. Would the adverse impacts of developing Sites 4EA, 5EA and 6EA and Site 2HA (Green Belt impacts, landscape impacts, highway safety, flood risk, agricultural land, air quality) outweigh the benefits?

- 2.15 As previously stated, the development of Units 1 and 2 within Site 2EA has been completed following the approval of hybrid planning permission and reserved matters , although a residual parcel of land remains available for non-strategic employment development. The EIA undertaken as part of the hybrid planning application assessed the environmental impacts of the development of up to 135,000 sq. m. of employment floorspace, though only 82,748 sq. m of B2/B8 floorspace was delivered as part of the reserved matters approvals.
- 2.16 Development of the residual parcel of land within Site 2EA would still result in the overall quantum of development falling significantly below the level of floorspace assessed as part of the EIA. It will therefore have no further adverse impact in relation to the Green Belt, landscape, highway safety, flood risk, agricultural land or air quality as the site is already predominantly developed and the assessed impacts considered acceptable. The assessment work undertaken in relation to the site and the remaining parcel of land demonstrates that the benefits associated with the development of the site would significantly outweigh any adverse impacts, and is therefore in accordance with the Framework [11b (ii)].

Q25. Are the requirements for Sites 4EA, 5EA, 6EA, 2HA and 2ES within Policies LPA04.1 and LPA05.1 and Appendices 5 and 7 (Site Profiles) positively prepared and effective?

- 2.17 Bericote considers that the requirements for Site 2EA within Policy LPA04.1 are both positively prepared and effective. Bericote strongly supports the allocation of land at Florida Farm and considers that the Policy is generally sound, although it is requested that footnote 22 reflects the correct site reference 2EA not 6EA.
- 2.18 However, Bericote is concerned that Allocation 2EA is proposed to be removed from the Plan as a Main Modification. Bericote is concerned that if the allocation is removed then what designation will the Florida Farm Site benefit from in the Plan. This has not been clearly outlined by either the Council or the Inspector in its discussions. Bericote disagrees with the Council's suggestion that the planned development of Site 2EA has been completed. A 2.26ha site remains available for development and Bericote considers that the site can make a

contribution to meeting the additional demand identified for employment development in the Borough and should therefore be retained as an allocation in the SHBLP within Policy LPA04.1.

Q27. Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Tables 4.1, 4.5 and 4.8 justified and effective?

2.19 Bericote consider that the indicative site area for Allocation 2EA (36.67ha) set out within Table 4.1 of the SHBLP accurately represents the overall site area for the overall Florida Farm site, although the residual parcel of land equates to 2.26ha. Bericote Properties strongly supports the allocation of land at Florida Farm for 36.67 ha of employment development and the removal of the site from the Green Belt, and considers that Allocation 2EA should be retained in the Plan to provide the appropriate designation in the Plan for the completed and occupied Units 1 and 2 and enable the residual 2.26ha parcel of land to come forward for non-strategic employment development.

2.20 Table 4.1 also identifies B2 and B8 development as appropriate uses on the site which reflects the extant planning permission and completed development (Units 1 and 2). It is therefore considered that Table 4.1 is justified and effective, and would support the proposed use for non-strategic employment development on the residual parcel of land.

Q28. Will infrastructure to support the allocations, including improvements to Junction 23 (M6), be delivered at the right time and in the right place?

2.21 The Florida Farm site (Allocation 2EA) benefits from hybrid planning permission (ref. P/2016/0608/HYBR), which included full planning permission for the provision of a new access to the A580 East Lancashire Road to service the site. All the necessary infrastructure is therefore in place to support the site.

2.22 Delivery of the remaining parcel of land within Site 2EA is not reliant on any further infrastructure coming forward, including any improvements to J23 of the M6. It is therefore only logical to retain Site 2EA as an allocation to provide the appropriate designation to the existing Unit 1 and Unit 2, maximise its development potential and take advantage of the option to fully utilise an established and sustainable site for employment development.



Appendix 1: Unit 3 Site Layout Plan

- Dimensions are in millimeters, unless stated otherwise.
 - Scaling of this drawing is not recommended.
 - It is the recipient's responsibility to print this document to the correct scale.
 - All relevant drawings and specifications should be read in conjunction with this drawing.



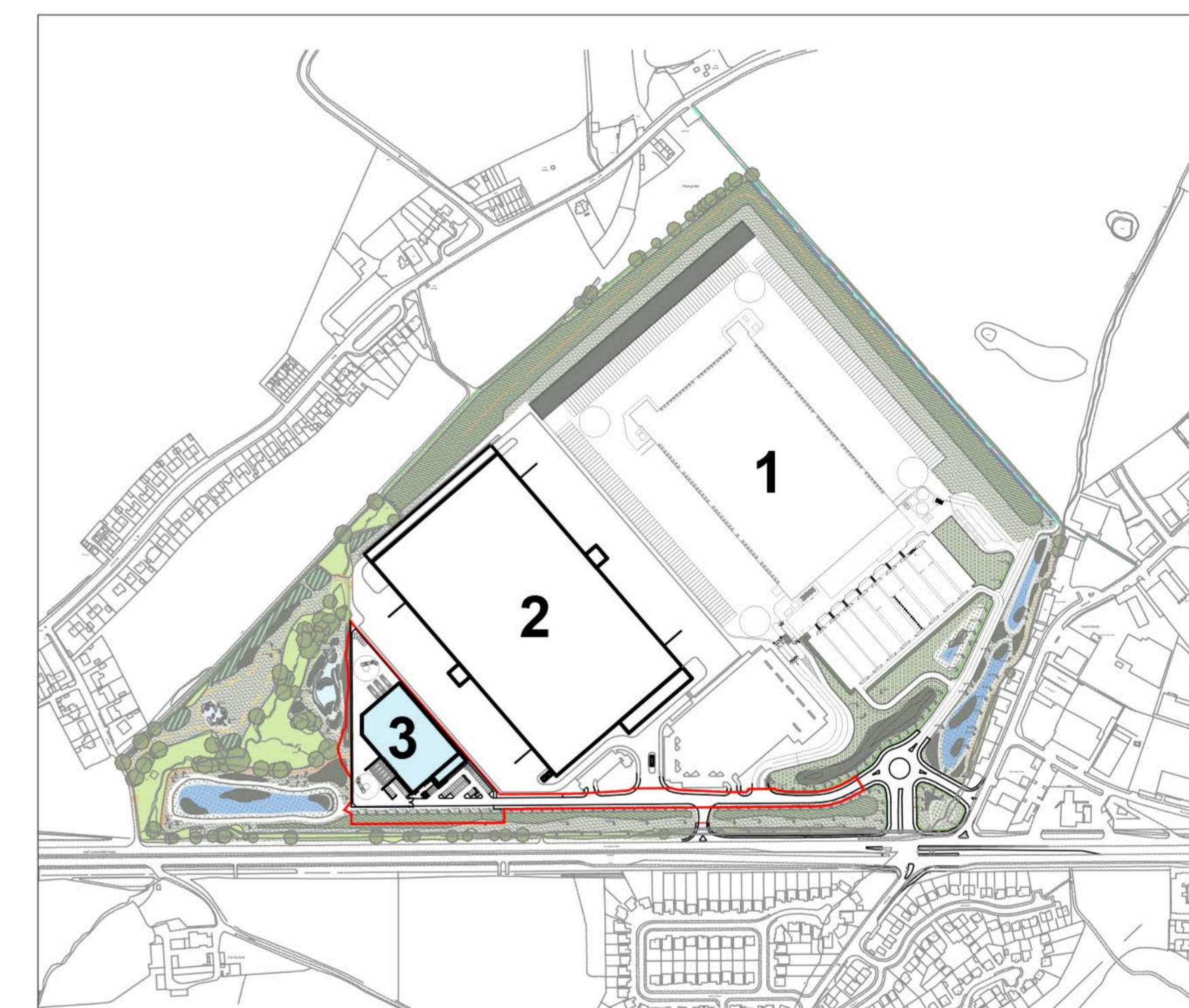
SCHEDULE OF ACCOMMODATION
 (Gross Internal Area)

Unit 3	
Warehouse Area	- 56,500 sq ft (5,249m ²)
Office (2-Storey)	- 7,500 sq ft (697m ²)
Total Area	- 64,000 sq ft (5,946m²)
Loading Docks	- 5
Level Access	- 2
Car Parking	- 59 (Inc 4 accessible; 3 charging)
Cycle Parking	- 12 + 4 Motorcycle
Net Plot 3 Area	- 3.32 Acres (1.35 Hectares)

Application boundary
 5.59 Acres (2.26 Hectares)



Site Plan Scale 1:500



Location Plan Scale 1:5000



PLANNING

rev amendments by ckd date

**Unit 3, M6Major.com,
 St. Helens**
 Proposed Site Plan

BERICOTE

**umc
 architects**

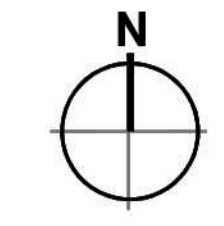
Newark Beacon Innovation Centre, Calderdale Way, Newark, Nottinghamshire NG24 2TN
 t +44 (0)1636 653027 f +44 (0)1636 653010 e info@umcarchitects.com

Drawing Status:		Planning
Drawn / Checked:	DEB / DEB	
Date:	23.05.2019	
Scale:	1:500	A1
Drawing no:	19110	Revision:
P3001		E



Appendix 2: Florida Farm Overall Site Plan

- Dimensions are in millimeters, unless stated otherwise.
 - Scaling of this drawing is not recommended.
 - It is the recipient's responsibility to print this document to the correct scale.
 - All relevant drawings and specifications should be read in conjunction with this drawing.



rev amendments by ckd date
**Unit 3, M6Major.com,
 St. Helens**
 Overall Masterplan



Newark Beacon Innovation Centre, Caldera Way, Newark, Nottinghamshire NG24 2TN
 +44 (0)1636 653027 +44 (0)1636 653010 info@umcarchitects.com

Drawing Status:	Feasibility
Drawn / Checked:	DEB / DEB
Date:	23.05.2019
Scale:	1:1250 A1
Drawing no:	Revision:
19110 F0003	C