

Town and Country Planning Act 1990

Acquisition of Land Act 1981

Inquiry into:

**THE ST HELENS BOROUGH COUNCIL (ST HELENS TOWN CENTRE) COMPULSORY
PURCHASE ORDER 2022**

Planning

Proof of Evidence

of

Iain Jenkinson

of CBRE Limited

[17 July 2023]

CONTENTS

1.	INTRODUCTION.....	1
2.	PROJECT OVERVIEW.....	5
3.	THE NEED FOR THE DEVELOPMENT	11
4.	REGENERATION AND SOCIO-ECONOMIC CONTEXT	28
5.	PLANNING PERMISSION.....	37
6.	PLANNING FRAMEWORK	46
7.	WELLBEING BENEFITS OF THE SCHEME	63
8.	RESPONSES TO OBJECTIONS	68
9.	IMPLEMENTATION.....	79
10.	SUMMARY & CONCLUSION.....	86
11.	STATEMENT OF TRUTH.....	89

1. INTRODUCTION

Qualifications & Experience

- 1.1 I am Iain Jenkinson, an Executive Director with CBRE Limited. I have a Masters in Town Planning from the University of Manchester, and I am a Member of the Royal Town Planning Institute (MRTPI) and a Fellow of the Royal Institute of Chartered Surveyors (FRICS).
- 1.2 I have worked at CBRE for the last 8 years. I am the Co-Lead for CBRE’s national UK Planning team, comprising 65 planners and surveyors, and I am based in Manchester. Prior to CBRE, I worked at GVA Grimley (now Avison Young) for 13 years and as a planning graduate for the North West Regional Assembly for 2 years.
- 1.3 I have over 23 years’ professional town planning experience gained in both the public and private sectors, 21 years of which I have been a chartered town planner. I specialise in large-scale, mixed-use regeneration projects and programmes, from the early-stage inception through to the post-planning consent, funding and construction stage.
- 1.4 Throughout my career I have worked on projects across the North West, and particularly within the Liverpool City Region. Recent projects include obtaining planning permission for Everton Football Club for a new stadium at Bramley-Moore Dock and the Mersey Gateway Bridge. I was also responsible for establishing the Chrysalis Urban Development Fund in 2012, alongside partner organisations Igloo Regeneration and the Royal Bank of Canada Capital Markets.

Role within the Project

- 1.5 I have advised St Helens Borough Council (hereafter referred to as ‘St Helens Council’ or ‘the Council’) on the regeneration plans, including the St Helens town centre redevelopment project, since 2015. This has included the following:
- January 2016 – St Helens Town Centre Framework for St Helens Council – a high level analysis of the issues;
 - March 2017 - Town Centre and Place Strategy for St Helens Council (with Thinking Place);
 - October 2017 - Acquisition of Church Square Shopping Centre for St Helens Council;

- 2018 to 2021 – Economy Board Member of the Invest St Helens (<https://www.investsthelens.co.uk/>) agency, Chaired by Eamonn McManus;
- 2020 to March 2021 – advising St Helens Council on the appointment of English Cities Fund (ECF) as their long-term regeneration delivery partner; and
- January 2021 – advising St Helens Council on the submission to Government of their Towns Fund Programme.

- 1.6 The Council selected ECF as its strategic partner in March 2020 and entered into an Overarching Development Agreement in December 2020, which governs the regeneration and redevelopment of a number of sites across St Helens by ECF over the next 20 years. The parties committed to work together with the aim of achieving the overall improvement of the social, environmental and economic wellbeing of St Helens. One of the early key projects is the regeneration of St Helens' town centre.
- 1.7 I have advised ECF and St Helens Council on the town centre plans, from project inception to working to prepare the St Helens Masterplan Development Framework (MDF) (**Core Document 'CD' B3**) which was approved by the Council in February 2022. This was informed through early engagement with key stakeholders to shape a place narrative and the successful £25m Towns Funding submission. This process helped secure early buy-in, a clear understanding of the town's opportunities and constraints, and the scale of intervention required to enact change. The MDF provides a transformational vision for St Helens' town centre, setting out a route-map for delivering the ambitions of the partnership.
- 1.8 I manage the team which prepared the hybrid planning application for the redevelopment of the town centre on behalf of ECF and that is currently preparing a Reserved Matters submission for the first phase of development.
- 1.9 I am familiar with the Site and surrounding area and have visited the Site on numerous occasions since my involvement in the project began in 2015.
- 1.10 I therefore have a detailed understanding of the Order Land (**CD D2**), its surroundings, the rationale for the development, the ECF and Council partnership, relevant planning policy and the consented scheme under the hybrid planning permission (**CD C1**).
- 1.11 As someone who is also from St Helens, I have a life-long attachment and affinity with the town.

Scope of Evidence

- 1.12 I have prepared this Proof of Evidence in support of the St Helens Borough Council (St Helens Town Centre) Compulsory Purchase Order 2022 (hereafter referred to as ‘the Order’), which was made on the 9 December 2022 (**CD D1**).
- 1.13 I give evidence for the purposes of this inquiry (reference APP/PCU/CPOP/H4315/3313438), on behalf of ECF, in respect of the planning justification for the Order, having regard to the statutory planning policy framework and other material considerations.
- 1.14 The evidence contained within this Proof represents my true and professional opinion, in accordance with the guidance of my relevant professional institution.
- 1.15 My evidence should be read alongside the evidence provided by Sean Traynor (St Helens Council), Andrew Cairns (Merseytravel), Sam Ainsley (Jon Mathews Architects) and Ged Massie (Keppie Massie).
- 1.16 The remainder of this Proof is structured as follows:

2. Project Overview: includes details of the Order Land and the Scheme;

3. Need for the Development: summarises the need case for the different types of development proposed, based on the market context;

4. Regeneration and Socio-Economic Context: summarises the socio-economic context for St Helens, including commentary regarding previous regeneration schemes of relevance;

5. Planning Permission: summarises the planning permission and provides a timeline of key milestones;

6. Planning Framework: details relevant policies in the statutory development plan and other material considerations;

7. Wellbeing Benefits of the Scheme: includes the social, economic and environmental benefits of the scheme;

8. Response to Objections: responds to objections of relevance to planning matters;

9. Implementation: confirms that there are no known planning impediments to delivery;

10. Summary & Conclusions: summarises the pertinent points of the Planning Proof; and

11. Statement of Truth.

- 1.17 My evidence demonstrates that the proposed CPO meets the requirements of Section 226 of the Town & Country Planning Act (TCPA) (1990) (**CD A2.1**), in demonstrating that the land is suitable for development with regards to the provisions of the development plan (Chapter 6), the planning permissions in force (Chapter 5) and any other considerations which are material (Chapter 6). Chapter 7 details the well-being benefits of the Scheme, which addresses the requirements of Section 226 (1A) of the TCPA 1990.

2. PROJECT OVERVIEW

Order Land

- 2.1 The Order Land comprises the First Phase Development, which forms part of the Planning Permission.
- 2.2 The First Phase Development involves the demolition of several existing buildings, including the Hardshaw Centre, and their replacement with a mix of uses including residential units, commercial, hotel, retail, food and drink uses, a purpose-built market hall, an improved and extended bus station and community and learning uses. The First Phase Development also includes associated access and infrastructure, servicing, public realm and landscaping.
- 2.3 The Order Land is the land bound by Corporation Street to the north, Hall Street to the east, Church Square to the south and Library Street to the west (**CD D2**).
- 2.4 Part of the Order Land is within the George Street Conservation Area (**Appendix IJ1**) and the Order Land is adjacent to the Victoria Square Conservation Area, to the north-west of the Order Land.
- 2.5 The Order Land forms part of the Planning Permission for the scheme (**CD C1**), which includes approximately 9.87ha of St Helens town centre.
- 2.6 ECF's proposals for the comprehensive regeneration of the town centre (which includes, amongst other areas, the Order Land) were approved in hybrid form under planning permission reference P/2022/0212/HYBR on 31 March 2023 (**CD C1**), subsequently amended via a Non-Material Amendment (reference A/2023/0008/NMA, approved 2 June 2023, **Appendix IJ2**), hereafter referred to as 'the Scheme'.
- 2.7 The Scheme, as shown in the **Book of Plans (CD I)**, comprises:
- Site clearance and preparation works, including removal of hardstanding areas and vegetation, where necessary;
 - Demolition of the majority of existing buildings. The former M&S building in the west of the application site and a substation in the east of the site will not be demolished. The buildings proposed for demolition are as follows:
 - The Hardshaw Centre;
 - St Mary's Shopping Arcade, Market & Multi Storey Car Park (MSCP);

- Swan Hotel and Fish and Chip shop to the immediate east of the bus station; and
- All buildings in the block of retail units bounded by the bus station to the east, Bickerstaffe Street to the south and west, and Corporation Street to the north.
- Construction of a series of new buildings, up to 6 storeys (Ground plus 5 storeys) in height, which are for a range of uses as detailed in the development schedule (**CD C7**) and are presented as two options (options only affect Plots 4 and 11):
 - Up to 7,854 sq m Gross Internal Area (GIA) of retail/leisure/food & drink floorspace, including a market, kiosks, and other retail units (Option A) (Option B: up to 8,134 sq m);
 - Up to 24,678 sq m GIA of office floorspace (Option B) (Option A: up to 10,950 sq m GIA);
 - Up to 340 sq m GIA of arts/leisure/community/retail floorspace;
 - Up to 423 residential units (Option A) (Option B: up to 374 units);
 - A hotel of up to 155 beds (Option A only); and
 - Redeveloped bus station and ancillary bus station facilities (Plot 1 / 2 / 4).
- Pedestrian and vehicle access improvement works, including access reconfiguration around the redeveloped bus station;
- Provision of up to 175 car parking spaces and cycle parking in line with local authority requirements; and
- Landscaping and public realm improvement works.

2.8 From the list above, the following forms part of the First Phase Development:

- Demolition of the majority of existing buildings within the First Phase. The former M&S building in the west of the application site will not be demolished. The buildings proposed for demolition are as follows:
 - The Hardshaw Centre;

- Swan Hotel and Fish and Chip shop to the immediate east of the bus station; and
- All buildings in the block of retail units bounded by the bus station to the east, Bickerstaffe Street to the south and west, and Corporation Street to the north.
- Site clearance and preparation works, including removal of hardstanding areas and vegetation, where necessary;
- Construction of a series of new buildings, up to 6 storeys (Ground plus 5 storeys) in height, which are for a range of uses as detailed in the development schedule (**CD C7**) and are presented as two options (options only affect Plot 4):
 - Up to 4,753 sq m Gross Internal Area (GIA) of retail/leisure/food & drink floorspace, including a market, kiosks, and other retail units;
 - Up to 7,500 sq m GIA of office floorspace;
 - Up to 340 sq m GIA of arts/leisure/community/retail floorspace;
 - Up to 65 residential units (Option A) (Option B: up to 106 units);
 - A hotel of up to 155 beds (Option A only); and
 - Redeveloped bus station and ancillary bus station facilities (Plot 1 / 2 / 4).
- Pedestrian and vehicle access improvement works, including access reconfiguration around the redeveloped bus station; and
- Provision of up to 40 car parking spaces and cycle parking in line with local authority requirements.

2.9 The remainder of the floorspace will be delivered through subsequent phases, referred to hereafter as 'the Second Phase Development', once the First Phase Development has commenced. This includes plots 7 to 11 of the hybrid permission comprising:

- Plot 7: up to 90 residential units & 553 sq m of retail/leisure/food and drink/ commercial / drinking establishment floorspace;
- Plot 8: up to 90 residential units & 553 sq m of retail/leisure/food and drink/ commercial / drinking establishment floorspace;

- Plot 9: up to 88 residential units & 745 sq m of retail/leisure/food and drink/ commercial / drinking establishment floorspace;
- Plot 10: up to 750 sq m of retail/leisure/food and drink/ commercial / drinking establishment floorspace and 3,450 sqm of office floorspace; and
- Plot 11: up to 90 residential units & and 500 sq m of retail/leisure/food and drink/ commercial / drinking establishment floorspace (Option A) or up to 780 sq m of retail/leisure/food and drink/ commercial / drinking establishment floorspace & 13,728 sqm of office floorspace.

The Making of the CPO

- 2.10 As detailed further in the Proofs of Sean Traynor and Ged Massie, despite continued efforts being made to purchase the land through negotiation, it became clear to the Council that this would not be capable of being assembled by agreement. Accordingly, on 9 November 2022 the Council's Cabinet resolved to make and promote the Order (Cabinet Report and Minutes of meeting **CD D6**). The Order was then prepared in the Form numbered 1 in the 2004 Regulations, sealed and dated on the 9 December 2022 (**CD D1**).
- 2.11 Notice of the making of the Order, in the Form numbered 7 in the Compulsory Purchase of Land (Prescribed Forms) (Ministers) Regulations 2004 ("2004 Regulations"), was published in two issues of the St Helens Star dated 15 December 2022 and 22 December 2022 and the time allowed for objections was in excess of 21 days. A total of 10 objections were made to the Order, comprising:
1. Angela Hindley (**CD D8**) (now withdrawn (**CD D29**))
 2. Punch Partnerships (PML) Limited (**CD D9**)
 3. Scott Hindley (**CD D10**) (now withdrawn (**CD D31**))
 4. Amy Lewis (**CD D11**) (now withdrawn (**CD D32**))
 5. Noel Hesketh (**CD D12**) (now withdrawn (**CD D30**))
 6. Merseytravel (**CD D13**) (now withdrawn (**CD D28**))
 7. Mark Ashcroft (non-qualifying objector) (**CD D14**)
 8. Michelle Thomas (non-qualifying objector) (**CD D15**)

9. Stefan Kwasek (non-qualifying objector) (**CD D16**)
10. Andey Cheetham (non-qualifying objector) (**CD D17**)
- 2.12 The objections of Merseytravel, Angela Hindley, Noel Hesketh, Scott Hindley and Amy Lewis have since been withdrawn and Merseytravel strongly support the confirmation of the CPO. The only remaining qualifying objector to the CPO is Punch Partnership (PML) Limited. In essence, their objection questions whether there is a compelling case to include the Swan Public House in the CPO. The objection of the Landlady (Angela Hindley) on this point has been withdrawn.
- 2.13 This objection forms the basis of the Main Issue, set out by the Inspector in the Pre-Inquiry Note.
- 2.14 Site Notices of Making of the Order in the Form numbered 7 in the 2004 Regulations were posted at conspicuous places on the Order Land and Notice of the Making of the CPO in the Form numbered 8 in the 2004 Regulations were duly served on every owner, tenant, occupier and qualifying person in relation to all land compromised within the CPO, in accordance with section 6(1) of the 1961 Act (**CD A1.1**). The time allowed for objections specified in each of the Notices was in excess of 21 days. In relation to these plots of land where the identity of an owner, lessee, tenant or occupier, or qualifying persons pursuant to sections 12(12A)(a) and 12(12A)(b) of the 1981 Act (**CD A11.2**) was unknown, a Notice of Making of the CPO in the form required by Section 6(4) of the 1981 Act (**CD A11.1**) was posted on or near the plot in question in a conspicuous place on the Order Land.
- 2.15 Copies of the Order (**CD D1**), the Map (**CD D2**) and Statement of Reasons (**CD D3**) and documents referred to therein were deposited at St Helens Town Hall. A copy of the Statement of Case (**CD D4**) was sent to the Department for Levelling Up, Housing and Communities, PINS and each objector on 9 May 2023, in accordance with Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007. This also provided a hyperlink to the inquiry documents library maintained by the Council at the website: www.sthelens.gov.uk/CPO.
- 2.16 In preparing my evidence, I have considered the planning matters set out in the Guidance on Compulsory Purchase Process and the Crichel Down Rules, issued by the Department for Levelling Up, Housing and Communities in July 2019 (**CD A8**). Further to paragraph 12-14 of the CPO Guidance and paragraph 106 in Section 1 (regarding orders made under s226 of the Town & Country Planning Act 1990 (TCPA)), in my evidence I give particular consideration to:

- a) Whether the purpose for which the land is being acquired fits with the adopted Local Plan for the Order Land area; and
- b) The extent to which the Scheme will contribute to the achievement of the promotion and/or improvement of the economic, and/or social, and/or environmental well-being of the area.

2.17 I believe that there is a compelling need in the public interest for the redevelopment of the Order Land through the Scheme, consistent with the statutory and guidance tests. The Scheme will deliver substantial public benefits and will contribute to the economic, social and environmental wellbeing of the area. The Scheme is also in accordance with the Development Plan (in this case the recently adopted Local Plan) for the area and also aligns with national planning policies and has the benefit of planning permission from the Local Planning Authority.

3. THE NEED FOR THE DEVELOPMENT

- 3.1 The town centre has been a key priority for the Council for a number of years but requires public investment alongside development expertise from ECF to enable its redevelopment. The strategic case for the Scheme is detailed in the St Helens Towns Fund Final Business Case (St Helens Council) (**CD G4**, section 2).
- 3.2 The Scheme provides a transformational opportunity to both diversify and expand the town centre offer, creating new housing, high quality employment opportunities and new public realm. This is a shift from the oversupply of retail provision (as set out in the MDF, **CD B3**, page 17) currently present in the town centre which does not meet modern requirements, alongside limited residential development and office stock provision (as set out in the MDF, **CD B3**, pages 16, 19 & 26).
- 3.3 The town centre has struggled to compete with the out-of-town shopping parks and this Scheme seeks to address this.
- 3.4 The lack of Grade A office space (**CD G4**, page 3) has contributed to St Helens falling behind in skills and productivity and there is a need to update the offer to support key sectors which are critical for the town and ensure new opportunities have the necessary infrastructure in place.
- 3.5 A new hotel will help ensure that visitors and business travellers are encouraged to stay within the town, thus generating local spending and growing the town centre night-time economy.
- 3.6 The Scheme will address the fundamental need for regeneration of a significant area of previously developed land in a highly accessible sub-regional centre and to level-up to deliver new housing and jobs and build St Helens' reputation as a destination for visitors and investors, with public transport fit for the future. The public realm will also create a modern and sustainable heart of the town centre, thus improving the perceptions of the town.
- 3.7 The remainder of this section provides further details on the need for the development based on the use classes proposed and the market drivers.

Retail

Overview

- 3.8 The Scheme looks to consolidate the retail floorspace in the town centre and focus this along key pedestrian routes, establishing active frontages within the town centre. The

reduced retail provision will be provided as ground floor uses in the majority of the development plots to create a sense of a high street within the town centre and the active frontages are designed to draw footfall from the north of the site through the town to key visitor attractions in the south of the Site. This is demonstrated on the Ground Floor Uses Parameter Plan (dwg ref. MPS_04_2210 Rev. K, included within the **Book of Plans** reference **CD I9**).

- 3.9 St Helens town centre is suffering the effects of widespread structural changes to the retail market, resulting in an over-supply and lack of variety of retail and leisure floorspace. The town centre is currently dominated by retail uses which are no longer fit for purpose.
- 3.10 The St Helens Retail and Leisure Study (WYG, 2017) (**CD E1**, paragraph 2.01) sets out that the retail landscape has changed significantly over the last 50 years due to redevelopment in town centres, the emergence of retail warehouse parks and out-of-town shopping areas.
- 3.11 The report confirms (**CD E1**, paragraph 2.31) that the growth in online sales has affected the need for new retail floorspace and therefore that the borough's town centres are looking to modernise and provide a range of different experiences such as food and drink units mixed in with retail uses as well as cinemas and gyms. In recent years, the borough's town centres have been increasingly reliant on an expanding food and drink sector to bring empty retail units back into use.
- 3.12 Within the Scheme, a new build market hall will be a key focal point. This will include a mix of street food, fresh food, retail and service uses alongside a flexible programme of events and animation.
- 3.13 The proposed market will replace St Mary's Market, a traditional, retail-led market which will be demolished as part of the Scheme. St Mary's Market has high vacancy rates, as set out in St Helens Market Feasibility Study & Defined Vision (Market Curators, 2022) (**CD G3** page 5) and challenges associated with an ageing customer base, making the business model unsustainable as new customers fail to be attracted to the market.
- 3.14 Successful, modern markets in other town centres are increasingly repositioning to become more food-led as a shopping, leisure and dining destination, including North-West towns such as Stockport, Warrington and Altrincham.
- 3.15 The St Helens Market Feasibility Study & Defined Vision (Market Curators, 2022) (**CD G3**, page 9) sets out that St Helens can build on the emerging 'community food hall' model in order to deliver a wide range of socio-economic benefits, creating incubator

spaces, a gathering point for the community and supporting small and independent businesses whilst being commercially sustainable.

- 3.16 The vision for the market is that it will be a destination attraction that acts as an anchor footfall driver within the town centre, attracting footfall from the whole of St Helens in addition to the wider region. This is an anchor which this town centre chronically needs.

Retail Market Trends

- 3.17 St Helens town centre is suffering in the same way as many other town centres across the UK, affected as they are by changes in the retail market, with online sales increasing and changing shopping habits reducing the requirement for physical retail floorspace.
- 3.18 The Retail Market Overview report (CBRE, 2021) (**CD G2**, section 1 page 3) sets out that physical retail space was going through change before Covid-19, fuelled by changing shopping habits and the rise of online retailing. However, during the last five years the change has been even greater with a number of occupiers closing stores.
- 3.19 The closure of most UK stores during lockdowns drove consumers either back to local provision or increasingly online. CBRE predicted in 2021 that with the easing of lockdown restrictions some of the increased online habits would be retained but it would fall back to a lower level in 2021 than occurred in 2020. CBRE forecast that online retail is likely to account for 28% of sales by 2030 (**CD G2**, page 4).
- 3.20 Alongside this change in shopping patterns, retailers have been faced with rising costs such as wages and business rates and squeezed margins through global competition. The result is a reduction in demand and a reduction in the number of visible retail businesses. This is a national problem and not one that is specific to St Helens.
- 3.21 For many years retailers have refined their store portfolios, seeking fewer but larger stores in the best catchments where they can fully express their brand. This trend began after the Credit Crunch of 2008-09, where retailers found that the internet combined with a polarisation of spend towards prime, regionally dominant retail centres meant they no longer required a shop in every town.
- 3.22 There are numerous examples in St Helens of how this shift in strategy has manifested itself, including the closures of M&S, Topshop, Burton, Argos and WH Smith, all of whom have closed in the town completely or consolidated to out of town sites offering greater accessibility and free, surface level car parking.
- 3.23 St Helens Town Centre is primarily a traditional retail offer with the leisure offer provided by the edge of town cinema and the associated food and beverage provision.

- 3.24 The St Helens Retail and Leisure Study (WYG, 2017) (**CD E1**, Table 4.34) identified that the biggest weakness in St Helens Town Centre was the choice and range of shops, followed by empty shops and then anti-social behaviour and the town centre environment.
- 3.25 The St Helens Retail and Leisure Study (2017) (**CD E1**, Table 4.24) set out that in 2011, the categories with the biggest market share in St Helens were chemist goods (36.4%), books, CDs and DVDs (34.9%) and furniture goods (30.2%). In 2016, every category had reduced and the above decreased by 8.5% (chemist goods) and 11.9% (furniture goods), showing the decline of key retail sectors.

Vacancy Rates

- 3.26 In St Helens, a number of large retailers have moved from the town centre, such as Marks and Spencer and Topshop (as mentioned above) which closed in 2019 and have left a number of vacant units. There have been 34 businesses which have closed or failed within the Church Square Shopping Centre since 2017 and as of 2023 the shopping centre has a vacancy rate of 38% (**CD D4**, para. 5.1). Similarly, the Hardshaw Centre has a vacancy rate of 39% as of 2023 (**CD D4**, para. 5.1). Vacancies are a long-standing issue for the town centre, as demonstrated by the vacancy rate in 2018 for St Mary's Market, in which only 51% of units were occupied.
- 3.27 The Hardshaw Centre opened in 1982 and has a focus on discount retailers, and is anchored by TJ Hughes, Heron Foods, Card Factory, One Below and Shoe Zone. In 2022, the key stores to move out were Holland and Barrett and Home Bargains.
- 3.28 For context, nationally, the average vacancy rate was 18.8% of town centre units in Quarter 4 (Q4) of 2022, which is a slight reduction on the figure at Q4 of 2021. However, the 2022 Q4 vacancy rate in St Helens was 21.7% of units which shows a higher vacancy rate in St Helens than the national average.
- 3.29 For comparison to other North West towns, in Warrington, the town centre vacancy rate in Q4 2022 was lower at 19%. The vacancy rates in other comparable town centres are lower than in St Helens, such as Oldham (19.9%) and Bury (16.9%).
- 3.30 The St Helens Retail and Leisure Study (WYG, 2017) (**CD E1**, Section 5) identified that the proportion of vacant shops in St Helens town centre increased from 12.8% in 2011 to 15.8% in 2016, which was greater than the national average for vacancy rates at that time.

- 3.31 A Town Centre Health Check Assessment was undertaken for St Helens Town Centre in 2017, as reported in the WYG St Helens Retail and Leisure Study (**CD E1**, para. 5.09). In terms of diversity of uses, the assessment sets out that there had been no physical development resulting in an increase of floorspace since 2011 and at the time of the survey there were 70 vacant units in the town centre, which represented 15.8% of the total units, greater than the national average of 11.2% (para. 5.15).
- 3.32 This demonstrates that recent high vacancy rates are not an anomaly, and that St Helens has struggled with higher than average vacancies for years. Further, the clear trend is that such high vacancy rates would persist (at best) and exacerbate (at worst).

Retail Environment

- 3.33 In order to sustain the town centre, St Helens needs to focus on providing a far more compact retail core that provides a wide use mix in order to become more vibrant and relevant to the catchment and visitors. This vision is encapsulated in the plans of ECF and St Helens Council.
- 3.34 The town centre should also be made as accessible as possible by all modes of transport and provide a welcoming presence, applying (in particular) national planning policy in the National Planning Policy Framework (NPPF). The environments along the prime areas of Church Street and across the town centre are considered poor and unattractive (**CD I10**), meaning the town centre lacks reasons to dwell once shopping is completed. Improving the public realm will widen the appeal of St Helens beyond the deteriorating retail offer, stimulating further uses such as residential, health and wellbeing, leisure, office and cultural uses. Increasing the residential population in the centre will further support the revitalised retail and leisure offer.
- 3.35 This is confirmed in the St Helens Retail and Leisure Study (WYG, 2017) (**CD E1**) as the town centre environment and anti-social behaviour were identified as two of the four main weaknesses of the town centre (**CD E1**, Table 4.34).
- 3.36 The St Helens town centre MDF (**CD B3**, page 16) identified that the local retail property market is dominated by large-scale, monolithic indoor shopping precincts, which are hidden from view and make it difficult for visitors to navigate the town centre. The MDF was developed to support existing retailers and traders by looking to consolidate and enhance the retail offer, to respond to existing challenges and future trends and ensure a vibrant town centre. This includes reducing the oversupply of shopping centres that dominate the built form and instead create smaller, modern retail properties which would attract the independent sector and new entrepreneurs.

3.37 The Scheme has been derived from the MDF and responds to the issues identified. The proposed development responds by proposing the demolition of the Hardshaw Shopping Centre and St Marys Shopping Arcade, Market & MSCP, thus opening up the site and improving connectivity as well as transforming the retail offer in St Helens. Retail provision will be reduced and will be provided as ground floor uses in the majority of the proposed development plots. This recreates the sense of a 'high street' within the town centre and ensures that buildings retain active frontages, drawing footfall from the transport hubs in the north of the site down towards the World of Glass, the proposed Discovery Park and the St Helens canal to the south. This is demonstrated in the Parameters Plans (CD 12, 18 & 19).

Future Economic Forecasts

3.38 Based upon the last 20 years of occupier growth in St Helens, CBRE data analytics (Table 1) suggest that three of the most significant growth sectors over the next 5-year growth period could be Accommodation and Food Services (which will result in 40 net additional businesses, a growth of 6.6%); Wholesale and Retail trade (etc) (which will result in an additional 34 businesses, a growth of 2.5%); and Real Estate Activities (which is expected to see a growth of 18 businesses (3.4%)).

3.39 The Wholesale and Retail sector is the greatest employment sector within St Helens with over 1,350 occupiers mapped across the borough (of a total 9,600 occupiers) (CBRE, 2023). Within this sector, the percentage split is Wholesale (22%) and Retail (55%) with 'Others' (car sales, car maintenance agents) making up the residual.

Table 1. Forecast 5-Year Growth by Sector

Sector (SIC3)	Current Businesses	5-Year Growth Forec	% Change
St. Helens: Accommodation & Food Service Activities	610	40	6.60%
St. Helens: Administrative & Support Service Activities	554	7	1.30%
St. Helens: Arts, Entertainment & Recreation	205	4	2.00%
St. Helens: Construction	967	19	2.00%
St. Helens: Education	268	3	1.10%
St. Helens: Electricity, Gas, Steam & Air Conditioning Supply	22	1	4.50%
St. Helens: Financial & Insurance Activities	201	3	1.50%
St. Helens: Human Health & Social Work Activities	409	4	1.00%
St. Helens: Information & Communication	301	2	0.70%
St. Helens: Manufacturing	387	4	1.00%
St. Helens: Other Service Activities	535	6	1.10%
St. Helens: Professional, Scientific & Technical Activities	808	7	0.90%
St. Helens: Real Estate Activities	525	18	3.40%
St. Helens: Transportation & Storage	401	6	1.50%
St. Helens: Wholesale & Retail Trade; Repair Of Motor Vehicles & M	1,357	34	2.50%
St. Helens: All Sectors	9,591	156	1.60%
England: All Sectors	5,480,658	34,307	

Source: CBRE, 2023

- 3.40 This shows there is a demand driver in St Helens for retail space and many of the businesses would be suitable for town centre locations, *if the conditions allowed* (i.e. suitability and availability of floorspace, attractiveness of public realm, wider town centre amenity etc.).
- 3.41 The biggest percentage growth is expected in the Accommodation and Food Services sector with an additional 40 businesses, and this is a town centre use as 93% of the growth is expected to be within use class E(b) (food and drink) and 7% in hotels.
- 3.42 There is also expected to be an additional 34 businesses within the 'Wholesale & Retail Trade; Repair Of Motor Vehicles & Motorcycles' sector, and a number of these would also likely be appropriate town centre uses as it is expected 62% will be use class E(a).
- 3.43 The drive to online retail platforms from which customers can order goods is also impacting on the demand for different types of space due to how goods are stored and delivered, which is also driving opportunities for economic growth locally. ONS data records internet sales as a percentage of total retail sales. In February 2010, online sales accounted for approximately 7% of total retail sales, however this rose steadily to 19% in February 2020. The impact of the Covid-19 pandemic and the lockdown resulted in an increase to 32.8% of sales being online in May 2020, and this reduced slightly to 26.7% after the end of the first lockdown in September 2020. The highest figure since 2020 has been a peak of 37.8% of sales being online in January 2021, and the most recent data shows that 25.5% of all sales were online in March 2023.
- 3.44 As a result of increased numbers of sales being made online, there has been an increase in demand from retailers in terms of warehousing space, in order to fulfil the online orders.
- 3.45 This links to the wider developments which have recently taken place or have recently been approved in St Helens, mainly Florida Farm (permission ref. P/2016/0608/HYBR), Omega (permission ref. P/2020/0061/HYBR) and Parkside West (permission ref. P/2018/0048/OUP). These are warehouse led schemes which confirm the assumption that there is a high demand for warehouse space. St Helens is a prime location for logistics development given the links to the M57/M58/M62/M6 motorways and Port of Liverpool.
- 3.46 Below is a breakdown of industrial warehouse take-up in St Helens for large warehousing schemes (100,000 sq ft plus) since 2018, for all retail sectors:
- 2022 – 741,037 sq ft (2 buildings – Iceland, Omega and Amazon, Omega Unit 3)

- 2021 – 1,081,390 sq ft (2 buildings – Home Bargains, Omega and Amazon, Omega Unit 2)
- 2020 – 0 sq ft
- 2019 – 1,115,930 sq ft (1 building – THG, Omega)
- 2018 – 361,416 sq ft (1 building – Amazon, Haydock)

Source; CBRE (2023)

- 3.47 The permissions which have recently been granted for warehousing developments in St Helens will collectively boost the employment offer across the borough, as well as supporting the changing retail demand.
- 3.48 The Parkside West Phase 1 scheme (permission ref. P/2018/0048/OUP) received outline consent in November 2021 for the construction of up to 92,000 sq m of employment floorspace (Use Class B8 with ancillary B1(a)).
- 3.49 The Parkside Link Road (permission ref. P/2018/0249/FUL) was approved in November 2021. The road unlocks the allocation at Parkside East and Parkside West Phase 2 which is allocated in the Local Plan for 64.55ha (allocation 7EA) and 31.67ha¹ (allocation 8EA), respectively.
- 3.50 An application at Omega (permission ref. P/2020/0061/HYBR) was approved in November 2021 and this consisted of full planning permission for 81,570 sq m B8 logistics warehouse with ancillary office development and outline permission for 123,930 sq m of employment development, which will be split with 30% Use Class B2 and 70% Use Class B8.
- 3.51 This is a key regeneration positive for St Helens as employment needs can be met in part through the range of jobs that will become available. However, it is only part of the solution. Despite this employment growth there remains a town centre which is in decline. In order to encourage people into St Helens for these jobs, as residents as well as commuters, it is critical that town centre regeneration takes place in order to create a vibrant and attractive town which can support the required jobs, homes and amenity that people need.
- 3.52 The future economic forecasts therefore show that even with a changing retail market there is predicted growth in retail sectors. There is also a clear demand for warehousing

¹ Parkside West allocation extends to 79.57ha. The remaining balance for Parkside West Phase 2 is 31,67ha, once the Parkside West Phase 1 permission (47.9ha) is excluded.

space, which despite not being located in the town centre, creates employment growth in the borough which necessitates a focus on town centre regeneration to support those living and working in St Helens.

Offices

Overview

- 3.53 An office is proposed as part of the First Phase development. The hybrid planning permission sought consent for up to 24,678 sq m (GIA) of office floorspace, to be developed on the Order Land and other land within the hybrid application red line boundary.
- 3.54 Within the town centre, currently there is no Grade-A or high quality office space, and no new office space has been developed for 20 years.
- 3.55 As a result of the lack of modern, high quality office space, businesses are locating outside the town centre, in out of centre locations or in neighbouring towns and cities which can accommodate their requirements.
- 3.56 One of the key office vacancies in the town centre is Century House, which was built in 1968 and comprises 44,000 sq ft across eight floors. The building was refurbished in 2008 however is still not considered attractive to occupiers given the quality of the refurbishment and the external appearance as a 1960s tower.
- 3.57 The take up of offices in recent years in St Helens has been significantly affected by the lack of quality stock. CBRE (**Appendix IJ3**, page 32) confirms that in St Helens, the majority of deals concluding in the last 24 months have been at Mere Grange, a business park well outside of the town centre along the Linkway close to the M62. This take up being at Mere Grange demonstrates that the benefits of the site, such as the road links, are appealing to occupiers, although it should also be noted that this is the only Grade A office space available to occupiers in the St Helens market.
- 3.58 There has been no supply of Grade A quality office space in the town centre, and this is coupled with a limited offer for occupiers in terms of amenity, public realm, and food and beverage occupiers. The current stock in the town centre comprises small suites or tertiary office accommodation, often above retail units. CBRE research (**Appendix IJ3**, page 32) sets out that the issues in the office market of St Helens are almost certainly attributable to a lack of opportunity and provision of good new quality stock, coupled with a lack of amenity for staff in the town centre. There is an increased emphasis on amenity as businesses are looking to be as attractive as possible to

existing and potential staff following the changes in hybrid working as a result of the Covid-19 pandemic.

3.59 However, the majority of new build office development in St Helens has been confined to out of town locations in recent years.

3.60 Within or closer to the town centre, Atlas House is a four-storey office building of 34,714 sq ft which was constructed in 2000 and let in 2008 to the Council. There is also Century House which is ready to occupy along with a number of units consisting of first and second floor offices above existing retail space along Hardshaw Street. At St Helens Chamber there is 'The Enterprise Greenhouse', which is also ready for occupation in the town centre. This space is offered on a licence basis and therefore there are no long-term lease agreements. This shows that the existing St Helens town centre supply has limitations, including associated with age, size/configuration and leasing.

3.61 In summary, new office occupancy within St Helens has been limited in recent years, however, that is attributable to the lack of opportunity and provision of good new quality stock. Across the UK regional market, there has been a flight to town and city centre locations over the last 5 years, where high quality amenity, coupled with good public transport links are readily available. St Helens has bucked that trend with most deals concluding at Mere Grange in the last 24 months. This is a combination of the lack of supply in the town centre, with Century House being 'best in class', coupled with an un-cohesive offering of amenity and poor quality public realm within the town centre.

3.62 This does not mean the end of the office market in St. Helens town centre, or any town centre for that matter. Far from it. What we see in St Helens town centre is a 'broken market' where the supply of stock no longer delivers for how the role of the office is changing.

Office Market Trends

3.63 The role of the office has changed over time to maintain alignment with occupier requirements, as the way we use offices evolves. The movement from cellular offices to flexible and agile formats has reduced the average space requirement per employee, and hybrid working is challenging historic norms in working practices.

3.64 CBRE (**Appendix IJ3**, page 32) predicts a more hybrid approach to office workplaces, with employees offered 'choices with conditions' thereby allowing staff to work from home 2/3 days a week, but dictated to on which days they do, enabling companies to reduce footprint accordingly. Crucially, this new trend is driving investment activity in other sectors, notably residential. One important Covid-19 effect on the property

market, as reported by Zoopla, has been that 41% of homeowners renovated their homes to accommodate new ways of working, resulting in 5m new home offices created and 8.8m bedrooms lost as a result (**Appendix IJ4**).

- 3.65 Office occupiers focusing on talent attraction and retention are considering a range of flexible, amenity rich spaces to curate the optimum user experience. But of course, in tandem with these trends, demand for office space ultimately continues to be driven by the wider economic environment.

Future Economic Forecasts

- 3.66 Based upon the last 20 years of occupier growth in St Helens, CBRE data analytics suggest that in relation to the office market, growth in certain economic sectors could result in a significant number of new businesses.
- 3.67 As shown in Table 2, an additional seven businesses are forecast in Professional, Scientific and Technical activities (0.9% increase) and an additional seven businesses are also predicted in the Administrative and Support Service Activities sector (which is an increase of 1.3%). There is also potential for an increase of three businesses in the Financial and Insurance Activities sector (increase of 1.5%) and two further businesses in the Information and Communication sector (0.7% increase).

Table 2. Forecast 5-Year Growth by Sector

Sector (SIC3)	Current Businesses	5-Year Growth Forec	% Change
St. Helens: Accommodation & Food Service Activities	610	40	6.60%
St. Helens: Administrative & Support Service Activities	554	7	1.30%
St. Helens: Arts, Entertainment & Recreation	205	4	2.00%
St. Helens: Construction	967	19	2.00%
St. Helens: Education	268	3	1.10%
St. Helens: Electricity, Gas, Steam & Air Conditioning Supply	22	1	4.50%
St. Helens: Financial & Insurance Activities	201	3	1.50%
St. Helens: Human Health & Social Work Activities	409	4	1.00%
St. Helens: Information & Communication	301	2	0.70%
St. Helens: Manufacturing	387	4	1.00%
St. Helens: Other Service Activities	535	6	1.10%
St. Helens: Professional, Scientific & Technical Activities	808	7	0.90%
St. Helens: Real Estate Activities	525	18	3.40%
St. Helens: Transportation & Storage	401	6	1.50%
St. Helens: Wholesale & Retail Trade; Repair Of Motor Vehicles & M	1,357	34	2.50%
St. Helens: All Sectors	9,591	156	1.60%
England: All Sectors	5,480,658	34,307	

Source: CBRE, 2023

- 3.68 The above demonstrates that there is a demand driver in St Helens for office space and many of the businesses would be suitable for town centre locations, *if the conditions allowed* (i.e. suitability and availability of modern floorspace suited to the

needs of occupiers, including to accommodate hybrid working; attractiveness of public realm; wider town centre amenity etc.).

Hotel

Overview

- 3.69 The inclusion of a hotel within the First Phase development (up to 155 bedrooms) provides an opportunity to bring visitors into the town centre. Currently, there is a limited hotel offer within the town centre, comprising the Mercure Hotel to the south which is the only hotel within a 1-mile radius of the Order Land, and therefore most visitors have to stay in hotels in out of centre locations or surrounding areas.
- 3.70 The opportunity to develop a brand hotel in the town centre has been recognised by the prospective hotel operator. Although commercial discussions are ongoing, the operator has been selected. This demonstrates that the market is responding to the identified need for a high quality hotel in the town centre.

Market opportunity

- 3.71 St Helens is not currently a recognised overnight destination and before the pandemic the town recorded approximately 20 million day visitors each year and only 80,000 overnight trips. After Knowsley, it has historically been the second least visited borough in Merseyside, with most travellers coming to visit friends and relatives.
- 3.72 A CBRE Feasibility Study (2021) regarding the market and financial opportunity for a hotel in St Helens (**Appendix IJ5**, page 7) reported that the lack of a strong night-time economy is a reason there is limited demand for overnight visitors in St Helens, as well as limited corporate demand meaning there is no need for overnight stays for business purposes.
- 3.73 However, in terms of leisure demand, there are several key attractions in St Helens, such as the Theatre Royal, North West Museum of Road Transport, the World of Glass, Haydock Racecourse and wider demand from key attractions outside of the town, including Liverpool and Manchester (**Appendix IJ5**, page 7).
- 3.74 In terms of future corporate demand, The Glass Futures scheme (permission ref: P/2021/0120/FUL) will offer around 160,000 sq. ft. of space and feature an experimental furnace to melt up to 30 tonnes of glass per day. The facility will host members from overseas and it is expected this will be a key facility which will drive demand for the hotel, especially if this is an international hotel brand. The facility is due to open later in 2023.

3.75 There is therefore a market opportunity to develop a hotel, which is coupled with a shortage of quality hotel supply in the town centre. Most hotels are to the west of the centre, and the branded hotels within a 5-mile radius are dated and small and therefore would not outcompete a town centre hotel offer.

3.76 The proposed hotel will benefit from strong visibility, being positioned at the heart of the town's major mixed use regeneration scheme. It will be adjacent to the bus station and closer to the train station and main leisure demand drivers than the existing hotels in the vicinity.

Residential

Overview

3.77 The Scheme proposes up to 423 residential units. Although the hybrid permission does not detail the type or size of residential units proposed, it is anticipated that this will be a mix of townhouses and apartments, expected to range from 1 to 3 bedrooms in size.

3.78 The CBRE Residential Market Overview (2021) identifies the population of St Helens as being 182,971. However, the population of St Helens is projected to increase by 2% (+3,717) from 2020 to 2029. Over the same period, the North West is projected to grow by 3% (+192,020) (**Appendix IJ6**, section 2.1).

3.79 The age structure of St Helens' population is largely similar to the North West region and the UK overall. However, St Helens has a slightly older population with 34% of people over the age of 55, compared to 31% in the North West and the UK. The five-year projections show no significant changes to the population structure of St Helens. However, the population of over 55s is expected to increase to 36% and under 34s expected to decrease very slightly from 41% to 40%.

3.80 In terms of tenure, owner occupiers represent the largest cohort in St Helens at 66%, this is higher than the North West (63%) and the UK (62%). Between 2019 and 2024, the share of owner occupiers in St Helens is expected to decrease to 64% and the share of private renters is expected to increase from 14% to 19%.

3.81 Compared with the North West, St Helens town centre has a higher proportion of the following Experian Mosaic groups:

- Urban renters in social housing;
- Younger households settling down in housing priced within their means;

- Families with limited resources;
- Transient renters; and
- Older people reliant on support.

Supply

- 3.82 The St Helens town centre Residential Market Overview (CBRE, 2021) (**Appendix IJ6**, para. 4.2) shows that over the past 15 years there have been 477 apartments consented within or adjacent to St Helens town centre.
- 3.83 The figures are skewed by two large consents by Countryside Properties and Pembroke Homes in 2006 which make up 65% of the consented dwellings at Arrivato Plaza and Lower Hall Street. Following the development of 308 apartments there has been no planning consents up until 2017. Post 2017, residential planning consents within St Helens town centre has been dominated by office to residential conversions by Nicholson Group and the Crown Building. There have been 169 dwellings consented since 2017 and the vast majority are 1-bed apartments aimed at students and young professionals. 115 of those consented have been via permitted development rights, leading to 100 of those consented being 1-bed properties.
- 3.84 Existing housing within or close to the town centre, which is outside of the Order Land, is generally low quality and to the north of the town centre (north of the Order Land) predominantly comprises terraced housing. This housing does not reflect local need or provide for alternative groups, such as young professionals and families who may wish to live within the town centre.
- 3.85 The lack of housing market results in a lack of community in the town centre which would help to stimulate the economy, particularly the night-time economy, and enhance the town centre as a whole. Through the proposed residential development, additional footfall will be brought into the town centre to deliver further economic growth.

Demand

- 3.86 Agents' advice has confirmed that apartments would be more attractive to buyers, particularly young professionals and young couples, and the town houses would also appeal to a similar market, as well as first time buyers, as there is a healthy market for starter homes and apartments within St Helens. The Agents' advice also noted the parking requirements for the townhouses, which has been incorporated into the Scheme.

- 3.87 The demand for rental apartments within St Helens is considered to be high as there are limited available properties to rent or buy within the town centre.
- 3.88 The St Helens Council Local Plan (adopted 2022) (**CD B2**) aims to meet the demand for town centre living by establishing that high quality housing will be provided within the town centre through the ECF transformation, with the Council supporting housing where this does not prejudice the retail and service role of the town centre (Policy LPB01).

Physical Environment

Overview

- 3.89 The Scheme includes high quality public realm, extensive soft landscaping, a public park (to be delivered in later phases) and public spaces which encourage dwell and play.
- 3.90 The current quality of the town centre built environment is generally considered to be poor, with a lack of wayfinding and areas of the town centre being disconnected from one another. There is also a lack of public space which would encourage people within the town centre to dwell.
- 3.91 There are a range of cultural assets within the town centre however these are not drawing visitors in. These include the Sankey (St Helens) Canal, the World of Glass (which is disconnected from other parts of the town centre through poor quality public realm), and The Gamble Building (which requires significant investment).
- 3.92 Local connectivity, particularly pedestrian and cycle links, are also considered to be poor. This is exacerbated by the dominance of vehicles within the town centre. Permeability is made difficult through the presence of shopping centres which take up large footprints of the town centre. The arrival points to the town centre for visitors who do not arrive by car are the railway and bus stations; however, there is a lack of wayfinding points between these areas which does not promote the connectivity of the town centre.
- 3.93 The physical town centre environment therefore has a number of limitations, which the Scheme seeks to resolve through high quality public realm and the integrated nature of the regeneration creating a cohesive town centre. It is considered that such limitations can only be overcome through a comprehensive redevelopment of the Site, as opposed to piecemeal improvements to the existing public realm.

Bus Station

Overview

- 3.94 The demolition and redevelopment of St Helens bus station provides a significant opportunity to provide a new public transport hub for the town as the centrepiece of a new multi-modal interchange, and a key northern gateway to the redeveloped town centre, consistent with national and local planning and transport policy.
- 3.95 The current bus station has a number of limitations, which are explored in detail in the Proof of Evidence of Andrew Cairns, Merseytravel. The limitations include that it is dated, lacks a pleasant and comfortable waiting environment for passengers, and is difficult to access, which also causes issues of severance for those walking through the town centre. It is not fit for purpose now or in the future.
- 3.96 One of the key barriers is that the current bus station is surrounded on all four sides by circulating traffic, including large numbers of buses. Operationally, this causes issues associated with inefficiency (thus reducing capacity and legibility for passengers) and safety, due to the increased risk of collisions with pedestrians. The Scheme proposes to close a section of Bickerstaffe Street to general traffic, which will make the bus station much more accessible from within the town centre and consolidate and reduce traffic movements.
- 3.97 Currently, the bus station is too small to accommodate Merseytravel's existing and planned operational requirements, within the footprint of the bus station itself. This means that there are bus stands located on the southern side of Bickerstaffe Street, and buses are required to layover on the northern side of Corporation Street. This results in a large number of buses parked up outside the Theatre Royal and the Church of Holy Cross and St Helen, obscuring the views of and from these buildings and affecting the setting of these buildings, particularly in relation to the Church, which is Grade II listed. Operationally, this causes significant safety concerns and also creates challenges for Merseytravel's bus station staff to manage the buses. It also creates an unpleasant public realm, at a major gateway into the town centre.
- 3.98 Expanding the bus station allows the opportunity to provide all stands, and space for buses to layover, within the footprint of the bus station. In tandem, the circulation of bus movements will be less of a feature than with the current arrangement, in itself providing a more welcoming environment for bus passengers and people walking around the town centre. There is also an opportunity to provide public realm enhancements and landscape features in the increased space created through the revised layout, improving the overall setting within which the bus station, existing

buildings (such as the Gamble, Church and Theatre), and the proposed new buildings in the town centre will sit.

- 3.99 The maximisation of trips by public transport, the active management of patterns of growth and the focus of redevelopment on highly accessible town centres is a key plank of national planning policy (**CD A9**, Ch. 9), especially given the Council's declared climate emergency. Further, the creation of high quality, beautiful and sustainable buildings and places is fundamental to the development and planning process (**CD A9**, Ch. 12).

Summary

- 3.100 The Scheme is located in the heart of St Helens town centre and will result in transformational regeneration: reducing the oversupply of retail floorspace, introducing residential, office and hotel uses and providing a modern and fit for purpose bus station and market, set within a high quality built environment. It is a proposal which will be complementary to the employment land allocated (and recently consented) and the housing recently allocated and safeguarded in the recently adopted Local Plan.
- 3.101 The need case as detailed in this Chapter sets out the importance of intervention in the town centre, to respond to market changes, balance demand and supply, act as a catalyst for growth and to establish the town centre as a place that is appealing for all, across St Helens.
- 3.102 The significant development elsewhere in St Helens, such as warehousing development at Florida Farm, Omega and Parkside, demonstrates that the borough is growing, and the town centre needs to respond to this in order to meet the needs of employees, residents and visitors.
- 3.103 The proposed town centre regeneration will address the fundamental need to level-up the town centre to meet current and future demand and establish St Helens town centre as a destination for visitors and investors.

4. REGENERATION AND SOCIO-ECONOMIC CONTEXT

Socio-Economic Context

Deprivation

- 4.1 The imperative for the regeneration of St Helens to address deprivation has been a core objective of successive statutory development plans. It remains a core objective in the current development plan. The St Helens Indices of Deprivation 2019 Summary Report (St Helens Council, 2019) (**Appendix IJ7**, page 5) states that the Town Centre ward has been identified as falling within the 20% most deprived neighbourhoods nationally on average, according to the recently released 2019 Index of Multiple Deprivation data.
- 4.2 Overall, St Helens is the 26th most deprived local authority, out of 317 in England. Its relative position has deteriorated since the 2015 Index of Deprivation where St Helens was ranked as the 36th most deprived area (out of then 326 authorities).
- 4.3 There are now a total of 29 LSOAs (Lower level Super Output Areas) within the borough that fall within the 10% most deprived LSOAs nationally, compared to 28 in 2015. A total of 50 LSOAs within the borough fall within the 20% most deprived nationally, compared to 47 in 2015.
- 4.4 Nearly a quarter of the St Helens population (23.4%) live in the 29 LSOAs within the borough that fall within the 10% most deprived LSOAs nationally (42,877 people).
- 4.5 The most relatively deprived LSOA within St Helens is Parr Stocks Road, which sits on the border of the Town Centre and Parr wards. This is the 27th most relatively deprived LSOA within England out of 32,844 LSOAs (refer to **Appendix IJ7**, front cover).
- 4.6 The St Helens Inclusive Growth Strategy (**CD G1**, page 23) sets out that nearly 25% of neighbourhoods within the borough are in the 10% most deprived in the country, school attainment is low, and many residents lack the skills or qualifications needed to access opportunities. There is also an issue noted across the borough associated with residents having low disposable income.
- 4.7 The Council's Localities dataset (**Appendix IJ8**) compares the seven locality profiles of the borough. The Order Land is located within the 'Central St Helens' locality, which scores as the 7th (i.e. worst) performing locality for the majority of indices, including: anti-social behaviour; digital exclusion; obesity; long-term illness; early years foundation stages; hospital admissions; crime; children in poverty; and physical activity. Therefore there are clear areas of deprivation to be addressed focusing on crime/anti-

social behaviour, health and education. Such issues of multiple deprivation require a multi-faceted approach, of which the regeneration of the town centre is a key part.

- 4.8 The Central St Helens Locality Profile (**Appendix IJ8**, '*Resident Priorities – via Ward Councillor feedback*' section) sets out that the resident priorities are to reduce anti-social behaviour and litter. The review of the data identifies that the other key areas to address are training and employment opportunities, housing benefit, fuel poverty, children living in poverty and health and wellbeing of residents (**Appendix IJ8**, '*In Summary*' section).
- 4.9 The proposed development seeks to address some of these issues through increased surveillance and footfall, provision of open space, enhancement of pedestrian and cycle links and improved connectivity e.g. to education and healthcare facilities, places of work, leisure facilities.

Productivity and Key Sectors

- 4.10 The St Helens Towns Fund Final Business Case (St Helens, July 2021) (**CD G4**, section 2.1) identifies that the town centre is the primary retail centre for St Helens and accommodates key civic assets such as the Theatre Royal, the World of Glass and other leisure assets. Historically, there was rapid expansion within St Helens which resulted in the town being a significant centre for coal mining, railways and glass industries. As these industries declined in the late 20th Century, there has been a growth of service sectors in the regional centres of Manchester and Liverpool which has not been matched in peripheral town centres and so has resulted in wider deprivation in St Helens.
- 4.11 The decline of the industries also resulted in the levels of productivity in St Helens remaining below the average for the UK.
- 4.12 Recently the town centre has experienced significant changes given the wider changes in the retail landscape, alongside the effects of ongoing economic restructuring at the local level, as detailed in Chapter 3 of this Proof.
- 4.13 The biggest employment sector in St Helens as a whole is public services. This has been consistently the largest employment sector over a number of years, which is a stark change from the industrial heritage of St Helens focused on glass-making and coal mining. The decline in the traditional industries saw a corresponding reduction in jobs and business opportunities which are key issues facing St Helens still and are one of the key reasons the regeneration is needed due to the legacy of the industrial losses.

The town centre must, therefore, broaden its appeal to the creation of new jobs, new businesses and new investment. The status quo is not acceptable nor sustainable.

Employment, Skills and Pay

- 4.14 The Growing Our Economy Cabinet Report (St Helens, 2017) (**Appendix IJ9**, section 2.3) details that St Helens has higher than average levels of unemployment, and residents are typically employed in lower graded occupations than average, meaning workplace earnings are relatively low. Although the overall population is expected to grow, it is considered that the working age population will decline over the next 20 years.
- 4.15 The population profile from ONS (ONS Census data) sets out that the town centre has an ageing population, and it is expected that the number of over 65s will double in the next 20 years. There is a higher percentage of economically active residents within the town centre wards than in St Helens overall; however, a lot of this economic activity is not retained within the town centre as the 2021 Census Data sets out that those living within the town centre wards are more likely to travel further for employment than those living elsewhere in St Helens.
- 4.16 As detailed in the socio-economic impact assessment which accompanied the hybrid application (CBRE, 2022) (**Appendix IJ10**), the rate of economic activity within the borough is 78.9%, which is slightly higher than the regional (76.5%) and national level (78.4%). The rate of unemployment is 3.9%, which is slightly lower than both the regional (4.6%) and national (4.4%) levels (**Appendix IJ10**, paragraph 2.13). However, in terms of benefits, the Job Seekers Allowance (JSA) claimant rate in the borough (4.2%) was higher than the national level (3.8%) in 2022 (**Appendix IJ10**, paragraph 2.14).
- 4.17 In addition, gross median weekly pay for residents is approximately 10% lower than the national average.
- 4.18 The majority of jobs within the ‘neighbourhood’ in which the Site is located, as defined by the socio-economic impact assessment which was submitted as part of the hybrid application (CBRE, 2022) (**Appendix IJ10**), are within the ‘Retail Trade and Motor Repairs’ industry (21%) (**Appendix IJ10**, paragraph 2.18). In addition, a higher proportion of residents are in lower skilled occupations (31.1%) compared to higher skilled occupations (28.2%). In comparison, within St Helens as a whole 34.4% of residents are within higher skilled occupations (**Appendix IJ10**, paragraph 2.17).

Previous Regeneration Objectives

Unitary Development Plan (1998)

- 4.19 Going back to the Unitary Development Plan (adopted 1998) (UDP) (**Appendix IJ11**), there was an aim to concentrate improvements along major transport corridors in and around the town centre (**Appendix IJ11**, paragraph 1.12), which shows the intention to improve the transport facilities in this area. The UDP also set out that St Helens town centre would be maintained and enhanced in terms of the shopping facilities. The UDP refers to a previous regeneration initiative for the town centre (**Appendix IJ11**, paragraphs 4.5 and 4.6), stating:

Ravenhead Renaissance Limited is a private company limited by guarantee and established in 1987. The initiative to establish this partnership of public and private sector interests was taken by the Council to provide a co-ordinated mechanism to secure the regeneration of the Ravenhead area for the wider benefit of the Borough as a whole.

The partnership has had considerable success in securing private sector funding and government grant to enable the reclamation of land for retail, residential and hotel developments and to refurbish the Town Centre. The mechanism, which has the particular advantage and strength of local commitment, is expected to continue during the Plan Period as an essential component of economic regeneration. Ravenhead Renaissance administers the Single Regeneration Budget funds for the Southern Corridor and Newton 21.

- 4.20 This sets out that in 1998 at the adoption of the UDP, there was a clear vision for the town centre to be transformed. This, combined with the Core Strategy vision (detailed below), shows a historic recognition within the statutory development plans at the time of the requirement for regeneration to address the deprivation and other failings in the town centre through the support for town centre redevelopment, which included improved public transport.

Core Strategy (2012)

- 4.21 The previous St Helens Core Strategy (adopted 2012) (**CD G8**) covered the plan period 2003 to 2027, albeit this plan has now been superseded by the adopted Local Plan 2022. The adopted Core Strategy had a spatial vision which stated that ‘the town centre and its surrounding area will be the vibrant focus of the Borough, with expanded shopping and leisure facilities’ and also envisaged the town centre as an area in which new housing would be focused.

4.22 Core Strategy Policy CSS1 *Overall Spatial Strategy* established that the Town Centre would enhance its market share within the region by securing further retail and leisure development opportunities. This demonstrates that when the Core Strategy was adopted in 2012, the transformation of the town centre was a priority, and that remains to this day.

Growing the Economy (2017 Regeneration Initiatives to Date)

4.23 The Growing our Economy Cabinet Report (**Appendix IJ9**, paragraph 3.23) set out the need in the town centre to ‘*shrink and link*’, meaning there should be a more concentrated retail offer which links to other assets to generate additional value, such as glass heritage, the canal and the wider arts and culture offer.

4.24 **Appendix IJ9** (paragraph 4.1) sets out that the approach to growing the economy of St Helens has to be one that embraces the opportunities and works differently with partner bodies within the borough and city region. The approach moving forward will be for the Council to work with partners to maximise economic growth as it is in the collective interest, as well as working proactively with the private sector, attracting inward investment, growing the existing business base and encouraging new businesses to start up.

4.25 The Growing our Economy Cabinet Report (**Appendix IJ9**, paragraph 4.6) sets out a series of key focus areas, and a revitalised town centre is listed as a priority.

4.26 The growth in logistics is also referenced in the Growing our Economy Cabinet Report (**Appendix IJ9**, paragraph 2.6) which notes how the Council needs to be proactive in bringing these sites forward so as not to miss out on the benefits of these developments. St Helens is uniquely located given the road and rail links, which areas such as Wigan and Warrington also have, but as St Helens is within Merseyside there are stronger links to the port-centric benefits of the Port of Liverpool.

4.27 From the outset of the preparation of the now adopted Local Plan, the Council has placed a focus on growing the economy and this has been considered a once in a generation opportunity to ensure the right land is allocated for housing and employment to meet the challenge of this.

4.28 The logistics opportunities in St Helens provide the potential for a significant increase in jobs, given the large-scale schemes such as Parkside and Omega.

4.29 Given the increasing employment opportunities, in preparing the Local Plan the Council had to consider the associated residential requirements and the necessary

transformation of the town centre. St Helens Council understood that intervention was needed to turn the town centre around and that regeneration is needed to promote the existing cultural assets of the town. This regeneration would in turn change the perception of the town centre; however, without intervention by the Council, it was unlikely this would happen as private sector redevelopment alone would be unlikely to provide for enough of a return to encourage investment and would also not encompass such a significant area.

- 4.30 The need for the Council to intervene was set out in the Cabinet Report, **Appendix IJ9** (paragraph 2.3). In addition, the changes to the funding of local public services means that local authorities need to also look to raise revenue. St Helens Council investing in the town centre will, in the long term, increase revenue as the Council will be the majority asset holder.
- 4.31 In 2010 St Helens Borough Council received £127 million in public funding; however, this reduced significantly to £11 million in 2023. This demonstrates an increased reliance on funding from Council Tax and Business Rates, which emphasises the importance of the town centre regeneration and bringing more business into the town.

Our Borough Strategy (2021-2030)

- 4.32 The St Helens Our Borough Strategy 2021-2030 (**CD B1**) sets out the vision for St Helens, the themes which identify the place, the priorities that the Council will focus on and the outcomes that should be achieved.
- 4.33 The vision states:
- Working together for a better borough, with people at the heart of everything we do by improving people's lives together and creating distinct, attractive, healthy, safe, inclusive, and accessible places in which to live, work, visit and invest.*
- 4.34 The key themes are 'from industry to integrity', 'culturally centred' and the 'educated choice' and therefore the vision is based around the key strengths of the borough, which are Innovate, Create and Educate.
- 4.35 Priority 4 (of 6) seeks to: 'Support a strong, thriving, inclusive and well-connected local economy'. This priority encompasses several outcomes, including: 'Our town and neighbourhood centres are vibrant places for all to use, value and enjoy'.
- 4.36 The town centre must match the potential of the borough and the strategy includes an understanding that the town centre requires radical transformation and that plans should be made to improve the offer.

Inclusive Growth Strategy (2023-2028)

- 4.37 The St Helens Inclusive Growth Strategy (2023-2028) (**CD G1**) sets out the actions that the Council will take over the next five years to deliver a successful, inclusive economy, driving progress and doing what is needed both in the short and long term.
- 4.38 The strategy notes that there is currently a once in a generation opportunity through the significant development planned in the borough, including the ECF masterplans, £25 million Towns Fund, and developments at Parkside, Omega West and Glass Futures, as well as housing developments (**CD G1**, page 6). Linking the opportunities will result in lasting change for residents and will enhance the perception of St Helens. Many of these will draw on St Helens' existing assets, such as the connectivity of the town.
- 4.39 The strategy sets out that the long-term industrial change experienced in the borough has created challenges for communities, with declining productivity, high employment but low wages and therefore low disposable income and this is then compounded by the cost of living crisis (**CD G1**, page 7).
- 4.40 The Inclusive Growth Strategy (**CD G1**) sets out the vision and action plan for addressing these issues. One of the key aims is to reinvigorate businesses and the retail and leisure offer in the town centre, as well as attracting new businesses to the town centre.
- 4.41 The strategy (**CD G1**, pages 24 and 25) references the major investment currently happening in the borough, including the 20-year partnership agreement with ECF to regenerate the town centre (including Earlestown town centre). In St Helens town centre, this is noted as including a new and extended bus station (**CD G1**, page 25), creation of the new Gamble Square, 50,000 sq. ft of modern offices, new apartments and townhouses, a new destination market hall, homes, retail units, a new hotel, and high quality, aspirational public realm. This work supports other investments, including repurposing the Gamble Building as a library, archive and creative hub, and enhancing the World of Glass visitor attraction.

Towns Fund

- 4.42 Towns Fund is integral to the Government's plan for "levelling up" the country's economy, enabling places to bounce back from the impact of Covid-19 as well as unlock regeneration and support economic growth to ensure town centres have a sustainable economic future.

- 4.43 The Government invited 101 towns to develop proposals for a Town Deal, as part of a £3.6 billion fund. St Helens was one of the towns across the country eligible to bid for up to £25 million from the Towns Fund.
- 4.44 The Towns Fund will drive economic regeneration of towns to deliver long-term economic and productivity growth via:
- Urban Regeneration, planning and land use;
 - Skills and enterprise infrastructure;
 - Connectivity; and
 - Local projects with community buy-in.
- 4.45 The Towns Fund was launched to reverse the decline in a significant number of centres across the country, and St Helens is a prime example of this with the town suffering from vacancies in key assets leading to a lack of range in terms of leisure, enterprise and food and drink.
- 4.46 In July 2021 St Helens received £25 million from the Towns Fund. The money will be used to support regeneration across the authority, contributing to the delivery of jobs, homes, skills and actions to reduce carbon emissions.
- 4.47 The Invest St Helens ‘Town Investment Plan’ (St Helens, 2021) (**CD G6**, pages 122 and 123) establishes the themes through which the Council intends to deliver transformational change:
- Glass Futures Phase 2;
 - Town centre living and regeneration;
 - St Helens Heritage World;
 - Healthy Communities;
 - Connected Places; and
 - Digital Infrastructure.
- 4.48 The Scheme directly responds to the ‘Town Centre living and Regeneration’ and ‘Connected Places’ themes.

Summary

- 4.49 This Chapter details the socio-economic background to the borough, including how this has deteriorated in recent years from a deprived baseline, in relation to increasing levels of deprivation. This provides the context for the regeneration strategies and planning policies of the borough, with a focus on town centre regeneration dating back to the UDP and continuing up to the present day. This includes Council strategies which underpin the recently adopted Local Plan, including the significant investment provided by the Towns Fund.
- 4.50 This section also explains the need for Council intervention, which is the basis for the partnership with ECF and their involvement in the Scheme.
- 4.51 The Scheme is a direct response to the socio-economic context of the borough and the regeneration strategies which seek to address these socio-economic issues.
- 4.52 It is considered that the Scheme will deliver on the regeneration aspirations of the borough, which have been present for three plan periods, in terms of directing development towards the town centre, including the development of residential, retail, commercial and leisure uses and improvements to connectivity.
- 4.53 This, combined with the market factors and need case detailed in Chapter 3 of my Proof, establishes the drivers for the Scheme. The following section provides further details of the proposed development.

5. PLANNING PERMISSION

5.1 The hybrid planning application was submitted on 18 March 2022 and validated on 29 March 2022.

5.2 The Description of Development is as follows:

Hybrid planning application seeking: - Full planning permission and permission for relevant demolition in a conservation area for proposed demolition and site preparation works; and - Outline planning permission for development of a mix of uses, comprising hotel use (Use Class C1); residential units (Use Class C3); commercial, business and service uses (Use Class E(a-g)); local community & learning uses (Use Class F1(b-e) and F2(b)); and Sui Generis uses, with associated access, servicing, parking, public realm and landscaping, with all matters (Access, Appearance, Landscaping, Layout and Scale) reserved for future determination.

5.3 The application site comprises approximately 9.87ha of St Helens town centre (Site Location Plan (dwg. ref. MPS_04_1100 Rev. A) (**CD C3**)). The site is bound by Corporation Street to the north, St Helens Central and rail lines to the east, St Helens Canal to the south and the town centre, broadly defined by Bickerstaffe Street and Market Street to the west.

5.4 There are three areas which are excluded from the red line, but adjacent to the site. These are the World of Glass Museum, St Helens Parish Church, buildings between Church Square and Foundry Street and land between Hall Street, Church Street, Shaw Street and Bickerstaffe Street. These areas can be seen on the Site Location Plan (dwg. ref. MPS_04_1100 Rev. A) (**CD C3**).

5.5 A high proportion of the existing site is occupied by developed land, predominately shopping centres, with car parks and roads dominating the area at present, along with the pedestrianised areas along Market Street and Church Street.

5.6 The shopping centres comprise St Mary's Market to the south east and the Hardshaw Centre in the north-western part of the site.

5.7 The Merseytravel bus station is located in the north of the application site, between Bickerstaffe Street and Corporation Street. The Swan public house and Fish and Chip shop are located to the immediate east of the bus station and a block of retail units is present to the west, bounded by the bus station to the east, Bickerstaffe Street to the south and west, and Corporation Street to the north.

- 5.8 The Hardshaw Shopping Centre is present to the south of the bus station and Bickerstaffe Street. The shopping centre includes rooftop car parking.
- 5.9 The St Mary's Shopping Arcade, Market & Multi Storey Car Park (MSCP) is present in the south east of the application site. To the west of this lies the pedestrianised Church Street and Church Square.
- 5.10 The application proposals were discussed with the Council as part of a pre-application process (reference PRE/2021/0199/PREC). Meetings were held with various Officers to discuss the scope and methodology of the technical assessments prepared to support the planning application. The pre-application response on planning policy identified relevant planning policies at a local and national level, including emerging Local Plan policies, and provided a high level assessment of the proposed uses against this policy context. The design and technical assessments evolved as a result of the pre-application advice received, as detailed in the submitted Design & Access Statement and reported in the technical assessments which supported the planning application.
- 5.11 In advance of the submission of the planning application, extensive public consultation was undertaken in relation to the redevelopment of the town centre.
- 5.12 The public consultation was in relation to the St Helens MDF (which was endorsed by the Council in February 2022) but also related to the hybrid planning application.
- 5.13 As the consultation related to both the MDF and the hybrid planning application, the Consultation Statement which was prepared in relation to the MDF was also submitted as part of the planning application (**Appendix IJ12**).
- 5.14 The public consultation was officially launched on Monday 1 November 2021 and ran until Monday 13 December 2021, for a total of 6-weeks.
- 5.15 To ensure the consultation process was accessible to all interested parties and groups in the area, several methodologies were employed, which were:
- Posters and print publicity displayed in key locations and on buses, which included a link to the consultation website;
 - Social media adverts issued to residents and directing residents to the consultation website, as well as via the Council Facebook and Twitter pages;
 - Press release issued via the local newspapers covering the site;

- A website was created (www.sthelenstowncentre.co.uk) which was the main hub for the consultation where there was a dedicated feedback form available for completion;
- A virtual exhibition was hosted on the website to reach people due to the Covid-19 pandemic, to allow users to navigate through a series of exhibition boards;
- A public exhibition was held for a week in the former Phones4U at 12 Church Street, St Helens in the town centre. The exhibition began on Monday 8 November 2021 and ended on Sunday 14 November 2021. The unit was open 10am – 6pm Monday to Friday, 10am – 4pm on Saturday and 10am – 2pm on Sunday; and
- Pop-up events were held and took place on the following dates and times:
 - Monday 22 November – 11am-2pm – St Helens College foyer
 - Monday 22 November – 3:30pm-5:00pm – Newton-le-Willows Health & Fitness
 - Tuesday 23 November – 10am-1pm – Chester Lane Library
 - Tuesday 23 November – 2pm-5pm – Asda Supermarket
 - Wednesday 24 November – 10am-1pm – St Helens Library
 - Wednesday 24 November – 6pm-8:30pm – Opera Bingo
 - Thursday 25 November – 10am-1pm – Tesco's Supermarket, Earlestown
 - Thursday 25 November – 2pm-5pm – Newton-le-Willows Library
 - Friday 26 November – 9:30am-12:00pm – Queens Park Health & Fitness
 - Friday 26 November – 2pm-5pm – Tesco's Supermarket
 - Friday 26 November – 6pm-8:30pm – Cineworld
 - Monday 29 November – 3pm-6pm – Rainford Library
 - Tuesday 30 November – 10am-1pm – Thatto Heath Library
 - Tuesday 30 November – 2pm-5pm – Rainhill Library

- 5.16 Section 61W of the Town and Country Planning Act (TCPA) 1990 (**CD A2.3**), as inserted by the Localism Act 2011, sets out the requirement for pre-application consultation and states that the person who is making the application '...must publicise the proposed application in such manner as the person reasonably considers is likely to bring the proposed application to the attention of a majority of the persons who live at, or otherwise occupy, premises in the vicinity of the land'. The scope of the pre-application consultation is therefore at the discretion of the applicant.
- 5.17 The publicity must clearly set out how comments can be made and also set out the proposed timetable for the consultation '...as is sufficient to ensure that persons wishing to comment on the proposed development may do so in good time' (Section 61W(4)(b) **CD A2.3**).
- 5.18 Where a consultation has been carried out, Section 61X of the Town and Country Planning Act 1990 (**CD A2.4**), as inserted by the Localism Act 2011, states that the person making the application must decide whether any consultation responses should be taken into account within the application.
- 5.19 The Consultation Statement (**Appendix IJ12**) submitted with the hybrid application, and as summarised above, demonstrates that the consultation that has been carried out is in accordance with the requirements of Section 61W and Section 61X of the TCPA.
- 5.20 It was possible for people to provide comments on a feedback form, a feedback map, via email and letter and in a comments book which was present during the public exhibition.
- 5.21 A total of 248 submissions were received during the public consultation. A summary of the responses is provided below.

Table 3. Summary of consultation responses received

FEEDBACK TYPE	AMOUNT	OVERVIEW/ ANALYSIS
Email and letter feedback	26	This feedback was largely supportive, with some queries relating to the future provision of car parking, green spaces and the desire to see pedestrians prioritised.
Community Information Line feedback	1	Enquiry about new jobs

Shape tomorrow: feedback map comments	41	Many respondents submitted feedback which focused on how to retain and enhance the natural environment within the town centre, such as retaining existing trees, encouraging 'green walls' and the inclusion of play equipment in the open spaces. Some respondents queried the future provision of car parking in the town centre. Additionally, several respondents expressed a desire to see the town centre easier to move around as a pedestrian or cyclist.
Comments book feedback	34	These comments were overwhelmingly positive and respondents expressed their support for the proposals generally and specifically the ambitions to enhance the natural environment.
Feedback Form	146	Almost 60% of responses were submitted via the feedback form which provided the opportunity for respondents to give support to specific aspects of the proposals, such as the inclusion of housing or office space and the reconfiguration of the bus station.

- 5.22 Upon submission of the application, the Council's Planning team publicised the application in accordance with the requirements of Article 15 of the Town & Country Planning (Development Management Procedure) (England) Order ('DMPO') (2015) (**CD A15.1**). As referenced in the Committee Report (**CD C5**, para. 4.1), the Council publicised the application via site notice and press (in accordance with Article 15(3) of the DMPO). In fact, the legal requirements in the DMPO were exceeded in that the Council issued 1,849 letters about the application to properties in the town centre, rather than just those adjoining the site. This exercise was repeated on submission of an addendum.
- 5.23 The Council also complied with the requirements of Part 4 of the DMPO (**CD A15.2**), in consulting on the application. This includes the requirements of Part 4, Article 18 in relation to consultees. Section 3 of the Committee Report (**CD C5**) lists the bodies which were consulted regarding the hybrid application.
- 5.24 An addendum was submitted to St Helens Council on 2 August 2022 due to a number of changes to the scheme, these changes included:
- Changes to the submitted Area Schedule;
 - Plot 11 was reduced in order to avoid a no-build zone associated with a culvert in this area;
 - Changes to the shape/size of parameter plots 1, 2, 3, 4, 5 and 6;

- Upper Floor for Plot 5 was removed as this is now proposed as a wrap around the existing, former M&S unit to allow access into the former M&S unit from the east, if this building were to be sub-divided in the future;
- Minimum height of Plot 5 increased from 33.5m to 37.1m;
- Gamble extension (Plot 1):
 - Minimum height reduced from 38m to 37m;
 - Maximum height amended with a taller middle section;
- Shaw Street downgraded from a Primary vehicle street to a Secondary vehicle street;
- Crossing point south of the Gamble increased in size and new crossing added to the north east of plot 6; and
- Note re. minimum street widths added to Access and Movement Plan and Public Realm Plan.

5.25 The proposed development, as amended through the addendum and subsequent Non-Material Amendment (**Appendix IJ2**), comprises the First Phase Development and subsequent phases (Second Phase Development):

- Site clearance and preparation works, including removal of hardstanding areas and vegetation, where necessary;
- Demolition of the majority of existing buildings. The former M&S building in the west of the application site and a substation in the east of the site will not be demolished. The buildings proposed for demolition are as follows (Demolition Plan (dwg. ref. MPS_04_1211 Rev. C) (included within the **Book of Plans** reference **CD I.1**):
 - The Hardshaw Centre;
 - St Mary's Shopping Arcade, Market & Multi Storey Car Park (MSCP);
 - Swan Hotel and Fish and Chip shop to the immediate east of the bus station; and
 - All buildings in the block of retail units bounded by the bus station to the east, Bickerstaffe Street to the south and west, and Corporation Street to the north.

- Construction of a series of new buildings, up to 6 storeys (Ground plus 5 storeys) in height, which are for a range of uses as detailed in the development schedule and are presented as two options (options only affect Plots 4 and 11):
 - Up to 7,854 sqm Gross Internal Area (GIA) of retail/leisure/food & drink floorspace, including a market, kiosks, and other retail units (Option A) (Option B: up to 8,134 sqm);
 - Up to 24,678 sqm GIA of office floorspace (Option B) (Option A: up to 10,950 sq m GIA);
 - Up to 340 sqm GIA of arts/leisure/community/retail floorspace;
 - Up to 423 residential units (Option A) (Option B: up to 374 units);
 - A hotel of up to 155 beds (Option A only); and
 - Redeveloped bus station and ancillary bus station facilities (Plot 1 / 2 / 4).
- Pedestrian and vehicle access improvement works, including access reconfiguration around the redeveloped bus station;
- Provision of up to 175 car parking spaces and cycle parking in line with local authority requirements; and
- Landscaping and public realm improvement works.

5.26 Chapter 2 of this Proof defines which elements of the above fall within the First Phase Development, and which are subsequent phases (referred to as the 'Second Phase Development').

5.27 The application was brought to the Council's Planning Committee on 27 September 2022 where the majority of Committee members voted to approve the application. The Planning Officer's Committee Report is **CD C5**.

5.28 Planning permission was granted for the development on 31 March 2023 following the completion of the necessary Section 106 agreement.

5.29 The S106 agreement included an education contribution in line with Local Plan policy LPA07. As the development includes residential development, the Council considered that a financial contribution towards the provision of school places was required. Whilst there is currently some surplus in the number of school places, the Committee Report concluded that there is unlikely to be sufficient surplus to absorb all of the required

need and therefore a financial contribution was sought for the provision of school places. The contribution will be dictated by the housing mix and therefore the calculation will be undertaken with each Reserved Matters submission.

5.30 Following the issue of the Decision Notice for the hybrid application, there has been no legal challenge on the basis that the planning permission was granted without lawful consultation.

5.31 The scheme will be delivered through a series of Reserved Matters submissions which will be linked to the phasing plan. ECF's 'Phase 1' is currently being developed and comprises:

- Plot 3: An office with ancillary food & drink floorspace (6,974 sq m);
- Plot 4A: A 150 bed hotel;
- Plots 4B-4D:
 - 64 residential units, which are a mix of 8 no. townhouses and 56 no. apartments;
 - Ground floor retail & commercial units (344 sq m);
- Plot 5: M&S wrap (making good works and creation of new entrances) (333 sq m);
- Plot 6: A new market hall (2,088 sq m); and
- Landscaping and public realm improvements.

5.32 The bus station will therefore form a future phase to be brought forward via a separate, subsequent Reserved Matters submission. It has, however, been established through the grant of the hybrid permission that there is (in principle) a development which can be granted Reserved Matters approval.

5.33 A recent consultation has been carried out to support the first Reserved Matters (ECF 'Phase 1') application which includes plots 3, 4, 5 and 6 of the hybrid application. This has included a dedicated phone line, website and email address, as well as a number of in person events. In total 1,300 people visited the exhibitions across the three week in-person consultation period, and there were 8,628 visitors to the website. This further round of consultation accords with statutory requirements as detailed in this chapter (Section 61W and 61X of the TCPA) (**CD A2.3** and **CD A2.4**, respectively).

- 5.34 This section of my Proof demonstrates that the pre-submission consultation and post-submission consultation in relation to the hybrid application met the statutory requirements as set out in Section 61W and 61X of the TCPA and Article 15 and Part 4, Article 18 of the DMPO.

6. PLANNING FRAMEWORK

6.1 Within this Chapter of my evidence, I set out the planning policy framework that applies to the Scheme. This includes the Development Plan and other material considerations, including national planning policy. The CPO Guidance is clear, at paragraph 106, that the degree to which the purpose for which the land is being acquired fits with the adopted Local Plan for the area, (and also fits with wider policy, particularly national planning policy), is an important consideration.

The Development Plan

6.2 Section 70(2) of the Town & Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”) (**CD A2.2** and **CD A14.1**, respectively) require that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.3 Section 38(3) of the 2004 Act (as amended) defines the Development Plan as:

- (a) The Development Plan documents (taken as a whole) which have been adopted or approved in relation to that area; and
- (b) The neighbourhood development plans which have been made in relation to that area.

6.4 As noted, planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The statutory development plan for St Helens currently comprises:

- (a) St Helens Borough Local Plan up to 2037 (adopted July 2022);
- (b) Joint Merseyside and Halton Waste Local Plan (adopted July 2013);
and
- (c) Bold Forest Park Area Action Plan (adopted July 2017) (not applicable to the application site or proposed development).

6.5 The Spatial Vision of the adopted Local Plan (**CD B2**, section 3.1) sets out that by 2037 St Helens Borough - through the balanced regeneration and sustainable growth of its built-up areas - will provide a range of attractive, healthy, safe, inclusive and accessible places to live, work, visit and invest. The Spatial Vision states that this will be achieved by:

- Providing a range of high-quality new employment accommodation to provide affordable accommodation to a wide range of employers.
- St Helens Town Centre adapting to changing economic conditions and providing a wide range of vibrant shopping, leisure, and other uses.
- Making effective use of brownfield land to provide a broader housing stock, with good quality new market and affordable housing, which meets local needs, provides safe and sustainable communities, and makes the Borough a residential destination of choice.
- Ensuring the Borough's housing is sustainably located in relation to employment areas, local facilities, attractions and green spaces in a way that will encourage walking, cycling and the use of public transport.
- Retaining and strengthening the Borough's unique heritage, linking to its historic role in the glass, rail, coal mining and other industries, and its wide range of important natural environmental assets.

6.6 The following are the most relevant policies of the statutory development plan.

- **Policy LPA01 *Spatial Strategy*** states that the sustainable regeneration of the Borough will be delivered by focusing development on key settlements, such as the St Helens Core Area, with the re-use of previously developed land remaining a priority. The comprehensive regeneration of the wider Borough will be delivered by the English Cities Fund Regeneration Partnership, through the provision of quality housing, new commercial activity, upgraded infrastructure and the overall improvement of the social and economic viability of the Borough on a phased basis.

The Spatial Strategy seeks to protect remaining areas of Green Belt and new development in the Green Belt shall not be approved, unless it falls within one of the exceptions set out in the NPPF. The St Helens borough is constrained by Green Belt which makes it even more important that brownfield sites, such as the town centre, are optimised in order to minimise the future requirement for greenfield and Green Belt land to be developed.

- **Policy LPA02 *Development Principles*** sets out that new development will be required to support the following development principles:
 - Create sustainable communities with a strong sense of place.

- Provide a mix of types and tenures of quality homes and a good range of services and facilities to meet the challenges of population retention and growth.
- Improve the economic well-being of the Borough's residents by reducing inequality and contributing to the regeneration of the borough.
- Contribute to inclusive communities by addressing the requirements of an ageing population; children, young people, and families; people with special needs; and the specific identified needs of minority groups in the Borough.
- Contribute to a high quality built and natural environment by:
 - (i) Securing high quality design in all development and a high standard of amenity;
 - (ii) Taking account of the Borough's landscape character and townscape, and the distinctive roles and settings of different areas;
 - (iii) Protecting and enhancing the Borough's natural, built, and historic environments;
 - (iv) Protecting and enhancing the Borough's water, air, land, and biodiversity; and
 - (v) Making effective use of land, buildings and existing infrastructure.
- Minimise the need to travel and maximise the use of sustainable transport by:
 - (i) Guiding development to sustainable locations or locations that can be made sustainable;
 - (ii) Encouraging a shift towards more sustainable modes of transport and lower carbon transport;
 - (iii) Encouraging safe and sustainable access for all between homes and employment;

- (iv) Improving the access to formal and informal recreation; and
 - (v) Supporting the provision and retention of community facilities and other local services.
- Lower St Helens Borough's carbon footprint and adapt to the effects of climate change by making best use of existing building materials to reduce waste and lower energy consumption.
- **Policy LPA03** *A Strong and Sustainable Economy* states that the Council will support the creation and expansion of existing tourism, cultural and visitor resources and assets, favourably considering proposals which increase the range and quantity of accommodation in the borough; attract investment; create or safeguard jobs; enable the economic or physical regeneration of a site or area; and improve the quality and diversity of the borough's visitor offer. Proposals for office development will be supported, subject to the satisfaction of other plan policies.
- **Policy LPA04** *Meeting St Helens Borough's Housing Needs* identifies that St Helens Borough has a housing need of a minimum of 10,206 net additional dwellings between the period 1 April 2016 to 31 March 2037 (an average of at least 486 dwellings per annum). The policy continues to state that new development should optimise the amount of housing developed on a site, aiming to achieve at least 40 dwellings per hectare (d.p.h) on sites that are within or adjacent to St. Helens Town Centre.
- **Policy LPA06** *Transport and Travel* outlines that the Council's strategic priorities for the transport network are to facilitate economic growth, enable good levels of accessibility between homes, jobs and services, improve air quality and minimise carbon emissions.
- **Policy LPA07** *Infrastructure Delivery and Funding* states that development proposals will be expected to include or contribute to the provision, improvement or replacement of infrastructure that is required to meet needs arising from the development proposals and / or the wider area.
- **Policy LPA08** *Green Infrastructure* sets out that development that would contribute to, or provide opportunities to enhance, the function of existing green infrastructure and its connectivity from residential areas, the town centre, employment areas and other open spaces will be encouraged.

- **Policy LPB01** *St. Helens Town Centre and Central Spatial Area* states that the Council will promote the Central Spatial Area as an accessible and high-quality built environment and development will be supported that would support the delivery and implementation of the Council-led strategy for the future regeneration and development of the centre. The policy continues to state that the English Cities Fund Regeneration Partnership will help deliver a comprehensive redevelopment of the Town Centre and Central Spatial Area, including new commercial activity, upgraded infrastructure, the provision of quality housing, and the overall improvement of the social and economic viability of the area. The policy also states that proposals for the change of use of units in the Primary Shopping Area in St. Helens Town Centre will be refused unless they would be to a main town centre use or uses that would contribute positively to the overall vitality and viability of the centre. Proposals for housing or a mix of housing within or on the edge of the Town Centre will be supported where they would avoid prejudicing the retail and service role of the Town Centre.

The Scheme is a direct response to this policy. The Scheme is therefore fully supported by an up to date statutory development plan which has recently been examined and found sound by an Independent Planning Inspector, after a statutory process of consultation, examination and adoption (refer to Chapter 8 of this Proof for details of the consultation underpinning the Local Plan).

- **Policy LPC04** *Retail and Town Centres* states that proposals for retail, leisure and other town centre uses of an appropriate scale and nature will be directed to the defined centres, with St Helens being the priority.
- **Policy LPC11** *Historic Environment* states that the Council will promote the conservation and enhancement of the Borough's heritage assets and their settings in a manner that is appropriate to the significance of each asset.

6.7 In summary, the planning system is a plan-led system as established by Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004 and Section 70(2) of the Town & Country Planning Act) (**CD A14.1** and **CD A2.2**, respectively) and reiterated in the NPPF (**CD A9**, para. 15). The Council has developed a Local Plan that has been recently adopted and the proposed development closely aligns with the strategies and policies established in the Plan. The Plan was the subject of statutory consultation, examination in public and formal adoption by the LPA (consistent with the statutory framework contained in the P&CPA 2004).

- 6.8 Through the establishment of a new Local Plan, the Council has identified local issues to be addressed and has developed a strategy which focuses on addressing these issues. The First Phase Development and CPO contribute significantly towards the realisation of this strategy.

National Planning Policy Framework

- 6.9 The National Planning Policy Framework (NPPF) (most recently published in July 2021) (**CD A9**, para. 2) reconfirms the statutory requirement set out in Section 38(6) relating to the determination of planning applications and also confirms that the NPPF must be taken into account as a material planning consideration in planning decisions (paragraphs 2 and 218).
- 6.10 The presumption in favour of sustainable development is at the heart of the NPPF. Paragraph 8 sets out the economic, social and environmental objectives of sustainable development, which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across the objectives.
- 6.11 The NPPF states that: ‘...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’.
- 6.12 Paragraph 11 sets out that local planning authorities should approve development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

Section 5. Delivering a sufficient supply of homes

- 6.13 To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where needed (para. 60).
- 6.14 Under paragraph 74, Local planning authorities are required to identify and update annually a supply of specific deliverable sites, sufficient to provide a minimum of five years’ worth of housing against their housing requirement as set out in their adopted strategic policies.

Section 6. Building a strong, competitive economy

- 6.15 Paragraph 81 identifies that planning policies and decisions should help create conditions in which businesses can invest, expand and adapt as “significant weight” is placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development.
- 6.16 When seeking sustainable economic growth, paragraph 82 identifies the need to ‘seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment’.

Section 7. Ensuring the vitality of town centres

- 6.17 The NPPF supports the role that town centres play at the heart of local communities. Paragraph 86 recognises the importance of:
- a) promoting the long-term vitality and viability of town centre – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries;
 - b) defining the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations;
 - c) recognising the role residential development often plays in ensuring the vitality of centres and encouraging residential development on appropriate sites.
- 6.18 Paragraph 87 establishes the sequential test to planning applications. Main town centre uses should be located in town centres, then in edge of centre locations. Only if suitable sites are not available should out of centre sites be considered.

Section 8: Promoting healthy and safe communities

- 6.19 Paragraph 92 identifies the importance of planning policies and decisions achieving healthy, inclusive and safe places. The NPPF identifies that this can be achieved through:
- a) promoting social interaction via mixed-use development, strong centres, street layouts which support pedestrians and cycle connections, and active street frontages;

- b) creating safe and accessible areas with clear and legible pedestrian routes and high-quality public use; and
- c) enabling healthy lifestyles through the provision of safe and accessible green infrastructure, sports facilities and local facilities.

Section 9: Promoting sustainable transport

- 6.20 Transport issues should be considered from the earliest stages of development proposals (para. 104). 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 (para. 105).
- 6.21 Paragraph 110 stipulates that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.22 Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (para. 111). All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (para. 113).

Section 11: Making effective use of land

- 6.23 The NPPF requires decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring healthy living conditions (para. 119).
- 6.24 Planning policies and decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains (para. 120). The NPPF supports the promotion and development of under-utilised land and buildings (para. 120). Planning decisions are

therefore required to give substantial weight to the value of using suitable brownfield sites within settlements for homes and other identified needs and to support appropriate opportunities to remediate derelict, contaminated or unstable land (para. 120). Such policies strongly support this proposal.

Section 12: Achieving well-designed places

6.25 Paragraph 130 stipulates that planning policies and decisions should ensure that developments:

- a) will 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, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.26 Section 4 of the Architectural Proof of Evidence of Sam Ainsley, Jon Matthews Architects sets out the compliance with the National Design Guide factors for delivering a 'Beautiful and Successful Place'.

Section 13: Protecting Green Belt land

6.27 Section 13 of the NPPF attaches great weight to protecting Green Belt land. Paragraph 138 of the NPPF sets out the five Green Belt purposes:

1. To check the unrestricted sprawl of large built-up areas;
2. To prevent neighbouring towns merging into one another;
3. To assist in safeguarding the countryside from encroachment;
4. To preserve the setting and special character of historic towns; and
5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.28 The Framework defines the type of development and uses that are considered 'appropriate' within the Green Belt. Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved, except in very special circumstances. When considering any planning application, Local Planning Authorities (LPAs) should ensure that substantial weight is given to any harm to the Green Belt (**CD A9**, paragraph 148). Given the constraints on the development of Green Belt land, the optimisation of highly accessible Previously Developed Land (PDL) on town centre sites becomes even more important, if needs are to be met.

Section 14: Meeting the challenge of climate change, flooding and coastal change

6.29 Paragraph 153 details that local plans should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply / demand considerations. Paragraph 154 specifies that new development should be planned to reduce greenhouse gas emissions (e.g. through location, orientation and design).

Section 15: Conserving and enhancing the natural environment

6.30 Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity and preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability (para. 174).

6.31 Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (para. 174).

- 6.32 Planning policies and 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) (para. 183.)
- 6.33 Planning policies and decisions should also 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 (para. 185).

Section 16. Conserving and enhancing the historic environment

- 6.34 Regarding heritage assets, the NPPF states: ‘These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations’ (para. 189).
- 6.35 The significance of heritage assets, including any contribution made by their setting should be clearly set out by the applicant (para. 194). Developers should submit an appropriate desk-based assessment and, where necessary, a field evaluation where sites have the potential to be of archaeological interest.
- 6.36 Under paragraph 195, when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be placed on the asset’s conservation. The more important the asset, the greater the weight should be.
- 6.37 Paragraph 200 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’.
- 6.38 In accordance with paragraph 202: ‘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’.
- 6.39 The effect of an application on the significance of non-designated heritage assets should be taken into account when determining the application. A balanced judgement is required, having regard to the scale of harm or loss to the significance of the heritage asset (para. 203).

Other Material Considerations

Supplementary Planning Guidance & Supplementary Planning Documents

6.40 There are a number of adopted Supplementary Planning Documents and Supplementary Planning Guidance documents which were material policy considerations in determining the hybrid planning application, as follows:

- Affordable Housing (2010);
- Design and Crime (2011);
- Design Guidance (2007);
- Hot Food Takeaways (2011);
- List of Locally Important Buildings (2011);
- New Residential Development (2011); and
- Shopfronts (2010).

Masterplan Development Framework

6.41 The Masterplan Development Framework (MDF) for St Helens town centre was endorsed by the Council on 2 February 2022 (**CD B3**).

6.42 The MDF sets out the key considerations for the existing town centre, such as the poor condition of the properties, lack of modern retail offer, lack of green spaces, lack of a sense of arrival and limited modern offices. The First Phase Development is seeking to redevelop a significant part of the town centre and specifically address the issues raised.

6.43 The MDF seeks to address a number of identified issues, such as reducing the oversupply of shopping centres that dominate the built environment and the poor condition of properties which fail to provide the modern retail offer. The high street is currently overstocked in terms of retail quantum, has an over-supply of lower value shops, and a lack of food and beverage outlets. There is therefore a need to create a broader offer to entice people back into the town centre, to address the lack of an evening economy and to return the town centre as a place for families to spend valuable quality time together.

- 6.44 To address these issues, the First Phase Development comprises a change in floorspace and uses within the town centre, which is responding to the different needs identified through modern habits, such as changes to shopping patterns and leisure uses, with the proposals introducing additional residential development into the town centre.
- 6.45 The MDF identified the need for the consolidation of car parking supply in the town centre, in order to make car parks more efficient, reduce the amount of circulating vehicles in the town centre and instead promote sustainable transport. The hybrid application sought detailed permission for the demolition of the Hardshaw Centre (including parking) and the St Marys MSCP. The First Phase Development includes up to 175 car parking spaces, to be provided across the scheme and associated with the proposed uses. This is below the Council's maximum parking standards and reflects the aims of the MDF to reduce the dominance of car parking in this part of the town centre and encourage access by sustainable modes of transport.
- 6.46 As set out in the MDF, the first phase of the St Helens town centre development will include:
- An enhanced sense of arrival with a new bus station;
 - A new market hall in the centre of the town;
 - New high quality office space;
 - High quality homes for town centre living;
 - An international hotel brand; and
 - Extensive public realm improvements.
- 6.47 The First Phase Development relates to the first phase as set out in the MDF (**CD B3**, page 57), and therefore mirrors the requirements of this document. This was selected as the first phase as the scale is significant and will create a hugely positive impact on the town centre, creating new high quality office space, high quality homes, an international hotel brand, a revitalised market hall and an enhanced bus station. These elements will all be linked by high quality public realm.
- 6.48 As well as aligning with the MDF, the First Phase Development closely reflects the proposals under the St Helens Town Investment Plan (2021) (**CD G6**, page 142, Table 5). This plan identified 'Project B: Town Centre Regeneration and Living' as a key project of the Investment Plan. The project overview seeks the:

Repurposing of St Helens town centre high-street to create a mixed-use scheme including delivery of high-quality residential dwellings within the heart of the town centre and across brownfield infill parcels across the town.

- 6.49 The First Phase Development is therefore in accordance with the Masterplan Development Framework for St Helens which sets out the overall vision and objectives for the town centre.

Policy Compliance

- 6.50 The Scheme is in accordance with the NPPF. Section 7 of the NPPF *Ensuring the Vitality of Town Centres* highlights the role town centres play and establishes that a positive approach to their growth should be adopted, allowing a suitable mix of uses and reflecting their distinctive character. The Scheme is seeking to redevelop the town centre, introducing a range of uses, including residential, which also supports the aims of the NPPF in Section 5 *Delivering a Sufficient Supply of Homes* and Section 6 *Building a Strong, Competitive Economy*, through the introduction of new office spaces. The Scheme supports these aims, and also retains key uses of the town centre, such as the market. The redevelopment of the bus station adheres to NPPF Section 9 *Promoting Sustainable Transport* and the proximity of the site to the rail station also supports this.
- 6.51 The Local Plan acknowledges that the comprehensive regeneration of the wider borough will be delivered by the English Cities Fund Regeneration Partnership (Policy LPA01 *Spatial Strategy*). This is reiterated in Local Plan Policy LPB01 *St Helens Town Centre and Central Spatial Area*, which identifies that the English Cities Fund Regeneration Partnership will help deliver a comprehensive redevelopment of the town centre and Central Spatial Area, through the provision of quality housing, new commercial activity, upgraded infrastructure and improvements to the social and economic viability of the area.
- 6.52 The Local Plan recognises the importance of the English Cities Fund Regeneration Partnership, combined with the Council's successful Town Deal funding bid (up to £25m), in assisting the post Covid-19 economic recovery (supporting text to Policy LPA03 *A Strong and Sustainable Economy*).
- 6.53 The hybrid application by the English Cities Fund represents the next step in delivering this transformational town centre redevelopment and therefore addresses the requirements of these policies.

- 6.54 The Scheme also supports Policy LPA01 *Spatial Strategy* which encourages the re-use of suitable previously developed land in Key Settlements. The MDF also identifies the town centre opportunity, in terms of the potential to utilise available development sites and brownfield land to contribute towards growth targets, including the delivery of new homes.
- 6.55 The reuse of previously developed land within settlement boundaries is a key issue for St Helens. Prior to the adoption of the Local Plan, 65% of St Helens was located within the Green Belt. In order to meet employment need significant areas of Green Belt land were released in the Local Plan as strategic sites, such as Parkside. However, there is also pressure to develop the Green Belt for residential use, as demonstrated through recent applications, such as the hybrid application at Eccleston Park Golf Club (application ref. P/2020/0791/HYEIA), which proposed 617 dwellings as well as 4,000 sq ft of retail, up to 7,100 sq ft nursery and 11,507 sq ft health centre in outline and 183 dwellings in detail. This is a Green Belt site and although the application was refused by the Council on 31 January 2022, it demonstrates a pressure to develop areas of the Green Belt for residential use.
- 6.56 Delivering up to 423 residential units within a sustainable, town centre location on a brownfield site, as is proposed in the ECF Scheme, would assist in alleviating pressure to meet housing requirements on sites outside defined settlements, including Green Belt land.
- 6.57 Generally, the Scheme is in accordance with national and local policies as it sought outline permission, as part of the hybrid application, for a mix of uses considered appropriate to the location within the town centre. The scheme is in accordance with the MDF for St Helens which sets out the overall vision and objectives for the town centre.
- 6.58 Specifically, the redevelopment of the bus station as part of the hybrid application aligns with Local Plan Policy LPB01, which seeks to promote the Central Spatial Area as an accessible destination and support the town centre as the hub of public transport in St Helens.
- 6.59 The proposed residential units will contribute towards the Local Plan target to deliver a minimum of 10,206 net additional dwellings between 2016 and 2037 (486 dwellings p.a.) (Local Plan Policy LPA04 *Meeting St Helens Borough's Housing Needs*). The proposals therefore also comply with the housing policies in the Local Plan.
- 6.60 The scheme includes improvements to the walking and cycling environment in St Helens town centre in the form of new routes, improved public realm and improved

wayfinding. The parameters plans establish a strong hierarchy of streets and spaces that prioritise pedestrians and cyclists and provide links between the new development plots, the retail centre, the bus and rail stations, and the wider town centre and therefore complies with Policy LPA06 *Transport and Travel*.

- 6.61 Regarding the proposed office use, Local Plan Policy LPA03 *A Strong and Sustainable Economy* states that proposals for office development will be supported, subject to the satisfaction of other plan policies. The MDF for St Helens town centre recognises the opportunity that the town centre provides in building on the borough's economic strengths to create new and modern places to work in a flexible way. The office element of the proposed development is supported by policy, both nationally and at a local level.
- 6.62 The principle of a proposed hotel in this location is supported by Local Plan Policy LPC04 *Retail and Town Centres*, which supports proposals for main town centre uses (which includes hotels) of an appropriate scale and nature to be directed towards the borough's defined centres, with St Helens town centre being a priority. In line with Local Plan Policy LPA03, the Council will favourably consider proposals that increase the range and quality of the visitor accommodation offer and enable the economic or physical regeneration of a site. The principle of a hotel use within the town centre is therefore supported by national and local planning policy.
- 6.63 Although a reduced amount of retail provision is proposed as part of the First Phase development, the scheme remains compliant with national and local planning policies through the proposed modernisation and diversification of the retail offer, to ensure the town centre remains vibrant, including the development of an enhanced market offer in a central location within the site.
- 6.64 The creation of the park (proposed within later phases of the hybrid application) complies with Policy LPA08 *Green Infrastructure* which states that development which would contribute to or enhance the function of existing green infrastructure and its connectivity from residential areas and town centres will be encouraged. Local Plan Policy LPA02 *Development Principles*, seeks to minimise the need to travel by improving access to formal and informal recreation.

Summary

- 6.65 The Scheme as approved under hybrid permission P/2022/0212/HYBR relates to the first phase of the town centre redevelopment, as set out in the MDF, and therefore mirrors the requirements of this document.

- 6.66 As well as aligning with the MDF, the proposed development accords with the requirements of the statutory development plan (Local Plan 2022) and national policy, in the form of the NPPF.
- 6.67 This is reaffirmed through the granting of planning permission for the Scheme by St Helens Council in March 2023.

7. WELLBEING BENEFITS OF THE SCHEME

7.1 Section 226 of the TCPA 1990 (**CD A2.1**) sets out that local authorities have the ‘power to acquire compulsorily any land in their area...’. However, the local authority should not exercise this power unless they think that the development is likely to contribute to the promotion or improvement of economic, social or environmental well-being of their area.

7.2 As established in the case of Sainsbury’s Supermarkets Ltd v Wolverhampton City Council and Tesco Stores [2011] A. C. 437 (**Appendix IJ13**), the identified benefits do not need to be restricted to the Order Land, provided that such ‘off-site’ benefits are related to or connected with the development for which the compulsory acquisition is made. Such a connection has to be real, rather than remote or fanciful.

7.3 The following paragraphs summarise the anticipated economic, social and environmental benefits of the Scheme, noting that the final quantification of benefits will often relate to the amount and precise mix of floorspace delivered and that is a matter of detailed design and reserved matters approval. The benefits relate to the First Phase Development and, where stated, also refer to the wider application area which formed part of the hybrid planning application i.e. ‘off-site’ benefits. The benefits of the wider application area are also relevant to the Order as the First Phase Development will act as a catalyst, thus enabling the future redevelopment of the remainder of the town centre (referred to as the ‘Second Phase Development’). It is considered that without the First Phase Development the remainder of the hybrid application area would not be developed and therefore the benefits of the future phases are inextricably linked to the acquisition and development of the Order Land.

Social Benefits

7.4 The Scheme will deliver the following social benefits:

- *Provision of new high-quality homes in the town centre:* The Order Land does not currently contain significant housing and the wider residential offer is of a limited range to the north of the site. The First Phase Development proposes up to 106 residential units under Option B (or up to 65 units under Option A). As a wider scheme (First and Second Phase Development) up to 423 new dwellings are proposed. The introduction of this residential development will diversify the housing offer to create new communities within St Helens town centre. The provision of a wider range of house type and size within the town centre will also ensure that more varied housing needs will be met to address a gap in the market for high quality housing in the town centre.

- *Location:* The Order Land is within an accessible area which is adjacent to new retail, employment, residential and leisure provision and given the location of this, there will be no material adverse impact on the local highway network.
- *Correlation with the Levelling Up Agenda²:* St Helens, as a whole, is identified as one of the Government's 'priority places' across the UK and has received £25 million from the Towns Fund. The proposals (First Phase Development and Second Phase Development) are also consistent with the intentions of the Levelling Up and Regeneration Bill (**CD A10**), in regard to supporting local growth, empowering local leaders to regenerate their areas and ensuring everyone can share in the United Kingdom's success.
- *Health and Well-being:* The First Phase Development will deliver new streets with high quality public realm providing space for relaxation and play in the town centre, alongside a private landscaped courtyard for residents. The First Phase Development will also catalyse subsequent phases, which includes a new public park, for residents and visitors to relax and dwell in. This will benefit the health and well-being of existing residents and visitors. The new public realm will be high quality and be well designed to encourage people to dwell, whilst also improving wayfinding.
- *Improved Perceptions:* The scheme (First Phase Development and Second Phase Development) will improve the overall town centre offer, with a range of new facilities as well as residential development. This will in turn reposition the town centre as a place for people to live, work and visit.
- *Impact on Crime:* the increase in footfall from the scheme (First Phase Development and Second Phase Development), along with the introduction of more active frontages in the new buildings, will improve the surveillance within the town centre which provides a benefit in terms of public safety. This will be strengthened through the reduced number of vacant units and removal of inactive frontages.
- *Modern Bus Interchange:* The First Phase Development will provide a modern, future proofed bus station which will reduce the reliance on the private car. The scheme will also improve the links with the train station to provide a more connected public transport system within the town centre. The new bus station will also meet operational needs and address existing problems in regard to the idling buses and

² The Levelling Up White Paper sets out the key missions: <https://www.gov.uk/government/publications/levelling-up-the-united-kingdom>

traffic surrounding the existing bus station. It will reduce reliance on the private car, consistent with the NPPF and the Climate Emergency.

Economic Benefits

7.5 The Scheme will deliver the following economic benefits:

- *Inward investment:* The First Phase Development will result in inward investment to the town centre and linked investment for future phases. The scheme will also generate substantial receipts to support Council service delivery including annual Business Rates and Council Tax Receipts.
- *Job Creation:* The scheme (First Phase Development and Second Phase Development) will result in the creation of 169 – 551 net operational Full Time Equivalent (FTE) jobs in a range of sectors. The St Helens Towns Fund Final Business Case (**CD G4**, Table 3-1713) identifies that the First Phase Development specifically (excluding the bus station and Gamble extension elements) will generate 259 net local additional jobs. Construction jobs will also be created during the demolition and construction phases of each phase that is brought forward (First Phase Development and Second Phase Development). As well as job creation, there will be associated indirect economic benefits associated with the scheme such as local expenditure during both the construction and operational stages.
- *Retail Offer:* The modernisation of the retail offer within the town centre, across both the First Phase and Second Phase Developments, will increase the footfall through the centre and create positive active frontages. The retail space that will be provided will also address the market requirements which reflect a more modern retail offer.
- *Employment Offer:* The scheme will result in the development of modern employment space, up to 24,678 sq m across both the First Phase and Second Phase Developments (of which 7,500 sq m will be delivered in the First Phase Development) which will attract new occupiers to the town centre.
- *Evening and Visitor Economy:* The First Phase Development will develop the town's evening economy through the creation of the market and other retail/leisure elements which will encourage visitors to the town. Coupled with the additional expenditure associated with visitors to the hotel, as well as the introduction of residential uses in the First Phase, the Scheme is anticipated to stimulate the evening economy.

- *Deliverability:* The First Phase Development is anticipated to act as a catalyst for the regeneration of the local site area and immediate surrounds, as well as the future phases of the Scheme, which would not be deliverable without the First Phase.

Environmental Benefits

7.6 The Scheme will deliver the following environmental benefits:

- *Sustainable use of previously development land:* The First Phase Development will result in the redevelopment of a substantial brownfield site in a sustainable location. The scheme will bring underutilised land back into productive use and will enhance the quality of the built environment to the benefit of existing and new residents and visitors.
- *Sustainable Travel:* The First Phase Development will encourage sustainable travel as a realistic alternative to the private car. This will be undertaken through establishing a network of cycle lanes and pedestrian links and replacing road infrastructure with substantial public open space. Expanding the bus station allows the opportunity to provide all stands, and space for buses to layover, within the footprint of the bus station. It will also mean that the circulation of bus movements will be less of a feature than with the current arrangement, in itself providing a more welcoming environment for bus passengers and people walking around the town centre. There is also an opportunity to provide some public realm enhancements and landscape features in the increased space created through the revised layout, improving the overall setting within which the bus station, existing buildings (such as the Gamble, Church and Theatre), and the proposed new buildings in the town centre will sit as well as improving the connection to the train station.
- *Biodiversity Net Gain:* The Scheme (First Phase Development and Second Phase Development) is required to deliver a biodiversity net gain. This will be done through the creation of new planting, particularly the development of Discovery Park which will be established at a future phase. Whilst landscaping is a reserved matter, it is a requirement to deliver a net gain and the emerging Phase 1 proposals (which comprise the majority of the First Phase Development) are currently delivering 1146% net gain. This demonstrates the significant environmental benefits associated with the First Phase. The planting proposed will ensure the development of green infrastructure within the town centre, linking to existing green infrastructure in the wider area.

- *Public Park:* A new public park will be created at a later phase of the scheme (Second Phase Development), establishing a public park in the town centre which will benefit the existing and new residents in the town centre and also provide an attractive place to dwell. The delivery of this park is unlikely to take place without the catalyst provided by the First Phase Development.
- *Carbon Emissions:* The First Phase Development will result in the development of sustainable built form which has been designed to reduce carbon emissions.
- *Built Environment Renewal:* Substantial improvements to the built environment are anticipated as a result of the First Phase Development, including improvements relating to heritage and townscape and enhancing these features in the town centre. The scheme will also result in improvements to the wayfinding and legibility of the town centre through the creation of desire lines to maximise existing landmarks and focal points.

7.7 In summary, the First Phase Development (to which this CPO relates) will deliver a number of social, economic and environmental benefits and will make a very significant contribution to the promotion and improvement of the economic, social, and environmental well-being of the area. In addition, the First Phase Development will act as a catalyst to deliver the Second Phase Development, which also has associated well-being benefits. Any adverse effects are considerably outweighed by the substantial economic, social and environmental benefits that will be provided, which carry significant weight.

7.8 The well-being benefits as described in this Chapter demonstrate compliance with s226 (1A) of the TCPA 1990 (**CD A2.1**). The Council is clear that the redevelopment of the Order Land will contribute to more than one of the well-being aspects, with demonstrable improvement to economic, social and environmental well-being. Indeed, it is difficult to conceive of a scheme which is more strongly supported by local and national planning policy and the wellbeing benefits of s.226.

8. RESPONSES TO OBJECTIONS

8.1 A total of 10 objections were made to the Order in the first instance (**CD D8 to D17**). The objection made by Merseytravel, Angela Hindley, Noel Hesketh, Scott Hindley and Amy Lewis were later withdrawn (**CD D28 to D32**).

8.2 The objections were based primarily on the bus station redevelopment, heritage impact, consultation and engagement, costs and funding and the need for offices and hotel development.

Consultation

8.3 A number of the objections related to the perceived lack of engagement that was undertaken, both from ECF and the Council, summarised as follows:

- Lack of engagement;
- No prior knowledge that The Swan would be demolished;
- Lack of and insufficient public consultation and proper process not completed at planning stage;
- Planning department did not make the public aware of amendments and no public consultation was undertaken; and
- Swan pub was excluded from the original masterplan.

8.4 As set out in Chapter 5 of this proof, a substantial consultation exercise was undertaken on the MDF and hybrid application proposals, prior to the submission of the planning application. In advance of this consultation, the Local Plan was also consulted on, which included policies relating to town centre regeneration, which were strengthened through the Local Plan process.

8.5 A summary of the consultation for the Local Plan, MDF, hybrid planning application and CPO is provided below.

St Helens Local Plan

8.6 The first consultation stage for the St Helens Local Plan comprised the Scoping Consultation in 2016. This consultation was undertaken in accordance with Regulation 18 of the 2012 Local Plan Regulations. The consultation ran from 20 January 2016 to 2 March 2016. A total of 212 representations were made and these informed the preparation of the Preferred Options plan.

- 8.7 The St Helens Local Plan Scoping Consultation included the Sustainability Appraisal Scoping Report which is part of the overall Strategic Environmental Assessment (SEA). This was consulted on as part of the first consultation in 2016.
- 8.8 A consultation on the Preferred Options was undertaken between 5 December 2016 and 30 January 2017. The consultation included the Local Plan Preferred Options (LPPO) report, as well as a draft policies map and supporting evidence base including a Green Belt Review (2016), employment and housing needs evidence, housing and employment land supply evidence, open space and sport assessments, an interim draft Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA), and was informed by other draft documents, including an emerging Economic Viability Assessment (EVA).
- 8.9 The document set out a growth-based strategy, including Vision, 7 Strategic Aims (supported by 14 Strategic Objectives) and 40 draft policies. The overall Vision, Aims and Objectives retained an emphasis on urban regeneration and re-use of brownfield land. However, to meet development needs fully, the removal of some sites from the Green Belt was also proposed. The LPPO document assessed alternative options for each of its 40 draft policies, as well as the spatial scale and distribution of growth. The Sustainability Appraisal also assessed detailed policy and site options.
- 8.10 A total of 5,695 representations were received from individuals and representatives of organisations, local groups, and businesses during the course of the consultation period. The consultation responses received during the consultation on the Preferred Options then informed the preparation of the Local Plan Submission draft plan.
- 8.11 The Council published the 'Submission Draft' version of the St Helens Borough Local Plan: 2020-2035 (LPSD) with its supporting documents in January 2019. The Plan was accompanied by a Policies Map and a suite of supporting evidence base documents. The consultation ran from 17 January 2019 until 13 March 2019, with the deadline then extended to 13 May 2019.
- 8.12 A Sustainability Appraisal (SA) was prepared and consulted on alongside this Local Plan consultation which included a detailed appraisal of a number of policy options and concluded that the Submission Draft provided the benefits of each option in sufficient detail.
- 8.13 A total of 2,364 responses were received; however, a number of these were duplicate responses, which resulted in a final total of 1,989 responses.

- 8.14 Following the Examination hearings (25 May to 24 June 2021), a SA Addendum was prepared to provide clarity on the site appraisal framework and to rectify inconsistencies.
- 8.15 These various stages of consultation, which were undertaken by the Council, accord with the judgement of *Cogent Land LLP v Rochford DC and Bellway Homes Ltd* [2012] EWHC 2542 (Admin) (**Appendix IJ14**), which identified that Strategic Environmental Assessment is not a single document, but is a *process*, in the course of which the regulations require that a document is produced. There are no specific timings for the environmental assessment, providing that the steps are carried out in advance of the adoption of the Local Plan (paras. 111-113). This analysis was further endorsed through *No Adastral New Town Ltd v Suffolk Coastal DC and SoS CLG* [2015] EWCA Civ 88 (**Appendix IJ15**, paras. 48-54), which references the examination in public as being part of this consultation process.
- 8.16 In the case of St Helens the consultation undertaken, including the consultation in relation to the SEA, was therefore compliant with the statutory requirements.
- 8.17 In the Inspectors' Report on the examination of the Local Plan (**Appendix IJ16**, para. 276), the Inspectors noted that the English Cities Fund and Town Deal are two initiatives which are integral to ensuring the delivery of the Plan's aim to regenerate centres in the area. As a result, Main Modifications were suggested by the Inspectors to strengthen the references to the ECF partnership and town centre regeneration proposals (MM006, MM007, MM019 and MM020).
- 8.18 The Main Modifications were then consulted on, alongside the SA addendum, between 18 November 2021 and 13 January 2022. The Local Plan was adopted on 12 July 2022.

The Masterplan Development Framework and Hybrid Planning Application

- 8.19 The public consultation was launched on Monday 1 November 2021 for six weeks. The consultation invited comments from the local community and stakeholders on the proposals.
- 8.20 The draft MDF showed the proposed demolition of the Swan public house and redevelopment of this area as part of the bus station proposals.
- 8.21 As detailed in Chapter 5 of this Proof, a number of different methodologies were employed to ensure the consultation was accessible to all parties, including posters and printed materials, social media posts, a specific website, media, a virtual exhibition and feedback map. The numerous methods adopted meant that if the local community or stakeholders did not have access to the internet this would not be an issue.

- 8.22 A total of 248 responses were received, which demonstrates that the consultation was far reaching and thorough.

Consultation on the Hybrid Planning Application – Post submission

- 8.23 The pre-application consultation is addressed above (paragraphs 5.11-5.21 and 8.19 to 8.21).
- 8.24 Once the hybrid application was submitted, the Council issued consultation letters to a significant number of residents and businesses within the town centre, informing them of the application and providing details for recipients to review and respond to the application. This included a newspaper notice, putting up site notices and writing to 1,849 properties. Hard copies of all application documents were made available for viewing in St Helens Town Hall. This meets the statutory requirements of Article 15 of the DMPO 2015 (**CD A15.1**).
- 8.25 An addendum to the application was submitted on 2 August 2022, and a further period of consultation was undertaken, and the updated documents were available to view in the Town Hall.
- 8.26 Both the originally submitted application documents and addendum documents showed the proposed demolition of the Swan public house and redevelopment of this part of the site as part of the bus station.

Consultation on the CPO

- 8.27 Engagement with the majority of owners and occupiers in relation to acquisitions commenced in summer 2022 and has continued in parallel with the Order. Acquisitions have been agreed for a number of the properties and discussions are continuing for those other interests where owners are willing to engage.
- 8.28 Please refer to the Proof of Evidence of Ged Massie, Keppie Massie for further details regarding the CPO consultation process.

Summary

- 8.29 The consultation on the Local Plan and MDF has been extensive. Through this consultation the principle of town centre regeneration has been widely publicised as a key objective of the Council over several years of engagement.
- 8.30 The consultation exercise in relation to the hybrid planning application during the pre-application stages and conducted by St Helens Council as Local Planning Authority

upon submission of the application has been comprehensive and has exceeded statutory requirements.

- 8.31 In summary, the statutory requirements for consultation have been met, following the consultation that was carried out on the MDF and the hybrid planning application. Regardless of this, the hybrid planning application has now been approved by the Council and the time for legal challenge of this decision has now passed. The legal presumption is therefore that the permission is regular and lawful.

Heritage Impact

- 8.32 This section of my Proof refers specifically to the impact of the proposed demolition of no. 39 and 41 Hall Street ‘Swan Hotel and Fish and Chip shop’, hereafter referred to as ‘the Swan public house’, as approved in detail as part of hybrid permission reference P/2022/0212/HYBR. This matter is addressed in the TEP Technical Note (**Appendix IJ17**), who addressed this issue in the assessment of the planning application.
- 8.33 Several objections to the St Helens Town Centre CPO have referenced the heritage impact of the proposed demolition of the Swan public house. Objections relating to heritage impact refer to:
- Concerns regarding proposed demolition in a conservation area;
 - The pub has an associated forge thought to pre-date the late 1700s and concerns regarding the demolition of this; and
 - An application to have the pub listed by Historic England (HE) has been made.
- 8.34 The Swan public house is not a listed building and is not a locally listed building (as recorded on the St Helens List of Locally Important Buildings Supplementary Planning Document, 2011, **CD H3**). A request for listing has been assessed by Historic England and they have concluded that the property does not meet the requirements for listing (**CD H9**, page 2).
- 8.35 In HE’s response to the request for listing, HE identified that the present building is apparent on an Ordnance Survey map published in 1849. On inspection of the building, HE concluded that window openings are largely 20th Century replacements, and that one half of a former paired entrance is now blocked. The interior is noted in **CD H9** (page 1) as being plain with few historic features, with evidence of rooms having been opened out to create larger spaces.

- 8.36 HE note that large numbers of mid to late 19th Century public houses were built and survive in England and only the best examples nationally will be selected for listing. The Swan public house is of standard architectural form and construction for a public house of this time and numerous examples survive better and which are of greater interest. There is no evidence of interior fixtures and fittings of special note and the attached lean to building, although of uncertain date and function, appears to be a later addition than the public house. With regard to historic interest, HE notes that there is no known close historic association between a figure or event of national renown and the Swan public house. In conclusion, HE (**CD H9**, page 2) does not recommend the Swan public house for listing.
- 8.37 At a local level, the Swan public house is not listed as a heritage asset in the St Helens Historic Environment Record.
- 8.38 As detailed in the submitted TEP Technical Note (**Appendix IJ17**, para. 1.4), the hybrid planning application was accompanied by the following heritage assessments:
- Built Heritage Environment Statement (ES), Chapter 8 (TEP, July 2022) (**CD H2**); and
 - St Helens Town Centre, Historic Environment Desk-Based Assessment (TEP, July 2022) (**CD H1**).
- 8.39 Within these documents, the Swan public house was assessed by TEP as holding a low (local) level of heritage significance. It was not considered as a non-designated heritage asset; however, the impact of its demolition was considered in relation to the George Street Conservation area, in which the Swan public house is located, the setting of listed buildings (Grade II Listed Church of Holy Cross and Saint Helen) and the setting of non-designated heritage assets (Holy Cross Presbytery, No. 2 Corporation Street, and Holy Cross Parish Hall, Corporation Street). The hybrid planning application was determined on this basis.
- 8.40 Within the ES Chapter, the Swan public house is noted as providing context to the designated and non-designated heritage assets referenced above and reflecting the historic interest of the above. The public house is recognised as providing a minor positive contribution to the historic value held by the conservation area.
- 8.41 The impact of demolition and construction, before mitigation, was deemed small and of minor adverse significance in relation to the listed building and conservation area. The impact of demolition and construction on the Holy Cross Presbytery and Holy Cross Parish Hall was considered to be small and of minor beneficial significance.

- 8.42 Following the implementation of mitigation, the impact on the conservation area and listed building (Church of Holy Cross and Saint Helen) was deemed to be negligible adverse in nature. The impacts on the Holy Cross Presbytery and Holy Cross Parish Hall remain minor beneficial in nature.
- 8.43 The submitted Historic Environment Desk-Based Assessment concluded that the large magnitude of change resulting from demolishing the low heritage significance buildings, including the Swan public house, would result in a low adverse significance of effect, equivalent to ‘less than substantial harm’ in NPPF terms (**CD A9**, para. 199).
- 8.44 The submitted Planning Statement (CBRE, July 2022) (**Appendix IJ18**, para. 6.115-6.117) details the planning judgement made in weighing the less than substantial heritage harm against the public benefits of the scheme, in accordance with the requirements of NPPF para. 202 and para. 207, as well as Local Plan Policy LPC11. This balancing exercise was conducted with regard to the Court of Appeal decision *Manor Wind Energy Ltd v East Northamptonshire District Council & Ors* [2014] EWCA Civ 137 (**CD H5**), which clarified that in having ‘special regard to the desirability of preserving’ listed buildings (Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 (**CD H4.1**)), decision-makers should consider harm, even if less than substantial, with ‘considerable importance and weight’ when undertaking the balancing exercise. This is reiterated in the case of *Forge Field Society & Ors, R (on the application of) v Sevenoaks District Council* [2014] EWHC 1895 (**Appendix IJ19**), which reiterates that harm to Conservation Areas and Listed Buildings are not merely material considerations and that where such harm is identified it must be given considerable importance and weight. This has been the case in both the hybrid application documents (as assessed by the Applicant) and also in the Council’s assessment of the hybrid application. It is, however, nonetheless important to consider the actual harm and the value of the asset in considering the weight to be attached to any impact. It is not the case that every heritage impact to every heritage asset is to be afforded considerable importance and weight.
- 8.45 The Planning Statement concludes that in considering the numerous and wide-ranging socio-economic, environmental and built heritage benefits (associated with the completed development), the identified less than substantial harm is significantly outweighed by the public benefits associated with the proposed development.
- 8.46 The Planning Statement states that harm to heritage assets has been considered and minimised where possible and in accordance with paragraph 202 of the NPPF, the weighing exercise demonstrates that the application should not be refused on heritage grounds.

8.47 The hybrid planning application was assessed by the Council on the basis of the above. Consultation responses in relation to heritage impacts were received from Merseyside Environmental Advisory Service (MEAS) (**CD H8**), HE (**CD H7**) and the Council's Conservation Officer (**CD H6**). No objections to the application were received from these consultees in relation to heritage impact. The comments specifically relating to the proposed demolition can be summarised as follows:

- *MEAS, 21st July 2022*: Questioned the process of attributing a level of importance to buildings prior to detailed research, recording and assessment but note that the impacts on Built Heritage (ES Chapter 8) are a matter for the Council's Heritage Advisor. Suggest the wording of a condition to secure the programme of historic building investigation and recording.
- *Historic England (HE), 30th August 2022*: did not offer advice but confirmed that the Council's specialist conservation and archaeological advisers should be consulted.
- *St Helens Council Conservation Officer, 27th June 2022, 19th August 2022*: Confirms that whilst the Swan public house is not considered to be of high value it nevertheless contributes in a positive manner to the character and appearance of the George Street conservation area and wider town. The demolition of the property is therefore considered to cause some harm (loss of significance), which is considered to be less than substantial. It is considered very likely that benefits generated by the proposals far outweigh the less than substantial harm identified.

8.48 Mitigation for the proposed impact of demolition was proposed by the applicant in the form of historic building recording. The hybrid planning permission secures this proposed mitigation through planning condition 8 (historic building investigation works for 39-41 Hall Street specifically) of hybrid planning permission reference P/2022/0212/HYBR (**CD C1**).

8.49 The Officer's Report for Planning Committee (**CD C5**, para. 7.17 – 7.20) considered the heritage impacts of the scheme, alongside the consultee responses received. On balance, the wider proposals were considered to generate substantial public benefits that outweigh the less than substantial harm caused by the proposed demolition.

8.50 Therefore, the heritage impacts of the demolition of the Swan public house have been thoroughly assessed by the applicant, statutory consultees and Local Planning Authority and hybrid planning application reference P/2022/0212/HYBR was determined by St Helens Council on this basis, in line with statutory requirements and policy requirements at national and local levels. The subsequent application to list the Swan public house

has been rejected by HE and this further reinforces that there are no significant heritage issues which would preclude the granting of the CPO.

Demolition of The Swan

8.51 Objections to the St Helens Town Centre CPO have referenced the need for the proposed demolition of the Swan public house. Objections relating to the proposed demolition refer to:

- Issue with onward use of site of The Swan as a landscaped area / public realm at the end of the bus station;
- Insufficient information or explanation provided to understand why The Swan is required for the CPO; and
- No supporting information of the benefits of including The Swan as opposed to alternative sites and whether alternative methods could be used to enable the business to continue to operate.

8.52 The below summarises the need for the demolition of The Swan. Further details are provided in the Proof of Andrew Cairns (Merseytravel).

8.53 The bus station was developed in the 1990s to provide enhancements to St Helens public transport provision. The initial plans for the bus station development included the land upon which The Swan public house and Town Fryer chip shop are presently located. However, at that time the decision was taken to retain the two premises, which created a significant development constraint.

8.54 The bus station was therefore brought forward on a more limited footprint, resulting in the internal division which has restricted the operation of the bus station.

8.55 There are significant capacity issues at the existing bus station as set out in Chapter 3 of this proof and there are no opportunities for future capacity expansion within the current footprint and therefore the existing bus station requires redevelopment now. The status quo is not acceptable.

8.56 The Council has undertaken extensive consultation with key stakeholders, primarily Merseytravel, to understand the optimum design for the redeveloped bus station, in light of all the technical and operational constraints/requirements. This includes the additional requirements for the bus station itself, as well as the improvements for the surrounding public realm as part of the future proofed multi-modal interchange in the town centre.

- 8.57 The expansion of the bus station will enable all stands and areas for buses to layover to be provided within the footprint of the bus station, which will create a more welcoming environment for passengers and visitors to the town.
- 8.58 In 2019, Merseytravel initially considered six sites (and overall twenty options) for a redeveloped bus station in St Helens, which was followed in 2021 by a study by WSP which considered twelve further options. Of the preferred option (Option 7), fifteen sub-options were considered by WSP, Merseytravel and the Council over the period May to July 2021 (Options 7A to 7O).
- 8.59 This design development process has followed the two principal criteria that the new bus station should seek to bring all passenger and bus movements safely into the confines of the station and that the new station should create ease of safe bus movement between all parts of the station, including layover spaces and passenger stands.
- 8.60 The layout of the bus station will also facilitate the key crossing points and arrival points incorporated into the hybrid application masterplan. In order to meet this design objective, as well as the operational requirements of the bus station from Merseytravel's perspective, the buildings between The Gamble and the Millennium Centre cannot remain in situ.
- 8.61 Option 7O formed the basis of the masterplan and CPO. This option shows that there is an absolute requirement for the land currently occupied by the Swan public house and Town Fryer chip shop, to widen Hall Street and create enhanced functionality into the facility as a controlled environment for bus use. As stated in the Proof of Evidence of Andrew Cairns, there is certainly a compelling case in the public interest for the use of the Swan Public House land.
- 8.62 Design development has progressed in the interim and the design has now been further refined and evolved to 'Option 7P'. This option incorporates amendments to Option 7O, as opposed to a redesign. It does not change the conclusion on the amount of land which is necessary to deliver the bus station.
- 8.63 The submitted Proof of Evidence by Andrew Cairns demonstrates the compelling need for the demolition of The Swan public house and evidences the lengthy design process and optioneering exercise which has informed the proposed design solution. Without the Swan Public House, the proposed bus station/multi-modal interchange will be unacceptably compromised.

8.64 Objectors have not provided any alternative scheme which excludes the Swan, which can be tested by the Council and its independent consultants.

9. IMPLEMENTATION

Planning

- 9.1 There are no planning impediments to the redevelopment of the Order Land. Hybrid planning permission has been secured, comprising full planning permission for the demolition of existing buildings within the Order Land and outline planning permission for the construction of a mixed use development.
- 9.2 ECF is progressing with the preparation of a Reserved Matters submission for 'Phase 1' of the town centre redevelopment, which will be submitted in Summer 2023, with subsequent phases anticipated to include the redeveloped bus station. I understand that a design and build contract will be entered into for the delivery of the bus station in quarter 3 2023, with a proposed start on site in the first quarter of 2024.
- 9.3 An indicative plan has been developed for the bus station plot which will be subject to detailed design. As this design process evolves, the bus station scheme will be developed in accordance with the parameters established in the hybrid permission. Therefore, although the bus station is to be delivered via a separate, subsequent Reserved Matters submission, there are no planning impediments to this or the delivery of the wider hybrid permission, providing that the subsequent phases accord with the parameters of the hybrid permission, satisfactorily address technical matters and are of an acceptable design. This is more than possible.
- 9.4 Planning matters are therefore not considered a procedural impediment to the delivery of the development which is the subject of this Order.

Funding

- 9.5 Further details regarding the funding of the First Phase Development are included within the Proof of Evidence of Sean Traynor (St Helens Council).
- 9.6 In summary, the Council will fund the First Phase Development, with the exception of the residential element which will be funded by ECF via equity investment.
- 9.7 The indicative construction cost of the First Phase Development is anticipated to be circa £81m subject to design development and market fluctuations, with acquisition costs anticipated to be in the order of £13.88m.
- 9.8 The Council has allocated £72.42m for the First Phase Development, underpinned by loans from the Public Works Loan Board.

- 9.9 The St Helens Town Deal Board was set up in January 2020 to prepare a Business Case and Town Investment Plan to support a bid for funding. The initial Town Deal bid was successful and a global award of £25m was made by the Government, and the Government has now approved detailed business case submissions from the Council for each of the projects identified in the Town Investment Plan. This releases £7.24m for the St Helens Town Deal 'Regeneration & Living' project and £3.25m from the St Helens Town Deal 'Connected Places' project, which is directly associated with the First Phase Development.
- 9.10 The Council has secured further funding through the One Public Estate Brownfield Land Release Fund, which totals £0.81m.
- 9.11 The Council allocation of £72.42m excludes the delivery of the redeveloped bus station, which has a current estimated total cost of £10.7m which is to be met through the Towns Fund together with funding from the Liverpool City Region Sustainable Transport Strategy (LCRSTS).
- 9.12 Following receipt of the Stage 3 design costings for the ECF Phase 1 development, the St Helens ECF Partnership funding strategy for the Scheme is currently being reviewed. However, the Council is satisfied that it has the resources to pay all compensation arising out of the Order and all costs associated with the Scheme.

Negotiations

- 9.13 Further details regarding the negotiations which have informed this CPO are included within the Proof of Evidence of Ged Massie (Keppie Massie).
- 9.14 The Council has sought to, and continues to attempt to, engage constructively with all known owners and occupiers of the Order Land, with a view to acquiring the land by agreement if possible, in line with the Guidance.
- 9.15 The Council acquired the Hardshaw Centre in January 2022 and then commenced negotiations with the view to securing vacant possession of the Centre. The majority of occupiers are relocating elsewhere within the town, particularly to Church Square Shopping Centre. There are three interests remaining; however, the Council's agents (Global Mutual) are working with these tenants to finalise terms and it is anticipated that these agreements will be concluded shortly in relation to all remaining interests.
- 9.16 The Council has also progressed with acquisitions in relation to properties adjacent to the Hardshaw Centre, including the former Marks & Spencer premises. The Council has

appointed Keppie Massie to progress with negotiations in relation to the former Woolworths premises and the land needed for the bus station.

- 9.17 Acquisitions have been agreed in relation to a number of properties and discussions are continuing in relation to those other interests where owners have been willing to engage.
- 9.18 The Council has successfully negotiated and acquired property in advance of the Order where it has been possible to do so and now has acquired the majority of interests required to deliver the Scheme. Where interests remain outstanding there are active discussions in relation to the properties, or owners/occupiers have not responded to the Council's attempts to engage.
- 9.19 As stated in the Proof of Evidence of Ged Massie, the Council has and will continue to make all reasonable efforts to progress negotiations and secure acquisitions by agreement in advance of compulsory acquisition in accordance with the Guidance, including supporting relocations where possible. Negotiations are to continue with the remaining interests in an attempt to acquire by private treaty without the use of compulsory purchase powers. However, it is the view of Ged Massie that compulsory purchase will be required to complete the land assembly.

Highways

- 9.20 It is understood that Stopping up Orders and Traffic Regulation Orders (TROs) will be required in relation to several streets within the First Phase Development.
- 9.21 Discussions to date with the Local Highways Authority (LHA) have not indicated that such agreements would be unobtainable and therefore are not considered to be an impediment to delivery of the First Phase Development. Indeed, the principle of such works has already been agreed through the granting of the hybrid planning application, a process in which the LHA was consulted in detail and raised no objection.

Human Rights

- 9.22 Further details regarding the consideration of human rights are included within the Proof of Evidence of Sean Traynor (St Helens Council).
- 9.23 In determining whether or not to confirm the Order, the Secretary of State must have regard to any interference with human rights, the provisions of the Human Rights Act 1998 (**CD A3**) and the European Convention on Human Rights ("the Convention") (**CD A5**). The Secretary of State must consider whether, on balance, the case for compulsory purchase justifies interfering with the human rights of the owners and occupiers of the Order Land. The Secretary of State also has to be satisfied that the

land included in the Order is all the land necessary to secure the delivery of the proposals and does not include land which is not required for that purpose.

- 9.24 Article 1 of the First Protocol to the Convention states that ‘...every natural or legal person is entitled to peaceful enjoyment of his possessions’ and ‘no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law...’.
- 9.25 Whilst occupiers and owners within the Order Land will be deprived of their property if the Order is confirmed and the powers are exercised, this will be done in accordance with the law, in this case the Act. The Order is being pursued in the public interest as required by Article 1 of the First Protocol. The public benefits associated with the regeneration of the Order Land are set out in Chapter 7 of this Proof. The Council considers that the Order will strike a fair balance between the public interest in the implementation of the regeneration and those private rights which will be affected by the Order. Both public and private interests are to be taken into account in the exercise of the Council's powers and duties.
- 9.26 Article 6 of the Convention provides that: ‘In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law’. The regeneration proposals, including those associated with the regeneration of the Order Land, have been extensively publicised and consultation has taken place with the communities and parties that will be affected by the Order. All those affected by the Order have been notified, have had the right to make representations and/or objections to the Secretary of State, and objecting parties have the right to be heard at the public inquiry. It has been held that the statutory processes are compliant with Article 6 of the Convention.
- 9.27 Article 8 of the Convention states that: ‘Everyone has the right to respect for his private and family life, his home and his correspondence...interference is justified however, if it is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for its prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others’. The Council considers that the interference with this right that will result from the exercise of the powers conferred by the Order will be in accordance with the law (namely the Act), give effect to a legitimate aim (namely securing the much-needed regeneration of the area) and will be proportionate having regard to the public benefits that the regeneration will bring. Similarly, any interference with Article 8 rights must be ‘necessary in a democratic society’ i.e. proportionate.

- 9.28 Those whose interests are acquired under the Order will also be entitled to compensation which will be payable in accordance with the Compulsory Purchase Compensation Code, assessed on the basis of the market value of the property interest acquired, disturbance (i.e. reasonable moving costs and costs/losses directly related to the compulsory acquisition) and statutory loss payments (e.g. home loss payments (if applicable)). The reasonable surveying and legal fees incurred by those affected in transferring interests to the Council will also be paid by the Council. The Compensation Code has been held to be compliant with Article 8 and Article 1 of the First Protocol to the Convention.
- 9.29 In promoting this Order, the Council has carefully considered the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the regeneration of the St Helens area. Interference with Convention rights is considered by the Council to be justified here in order to secure the economic regeneration, environmental and public benefits which the Scheme will bring.
- 9.30 The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have therefore been fully taken into account. There is a compelling case in the public interest for the Order to be made and confirmed, and the interference with the private rights of those affected, that would be the inevitable result of the exercise of the compulsory powers conferred by the Order, would be lawful, justified and proportionate.
- 9.31 There has been extensive public consultation on the proposals to regenerate the wider St Helens town centre, and the opportunity has been given through the consideration of the planning application to make representations on the proposals. A public inquiry is being held into the Order, and those whose interests are acquired under the Order, if it is confirmed, will be entitled to compensation as provided under national law.

Public Sector Equality Duty

- 9.32 The General Public Sector Equality Duty, section 149 of the Equality Act 2010 (**CD A4.1**) requires public bodies, in the exercise of their functions and decisions, to have 'due regard' to the need to:
- Eliminate discrimination, harassment, and victimisation;
 - Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it; and

- Foster good relations between persons who share a protected characteristic and persons who do not share it.

9.33 The protected characteristics are set out in the Equality Act 2010, these are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion; sex and sexual orientation.

9.34 The Council has prepared a Community Impact Assessment relating to Phase 1 (**CD E2**) which meets the requirements placed on the Local Authority. This sets out that the aim of the development is to create an accessible, safe, and inclusive town centre environment with a high-quality residential, cultural and leisure offer that meets the needs of the borough's diverse community (**CD E2**, page 1).

9.35 The Assessment states that there is no evidence that Phase 1 of the town centre redevelopment would create disproportionate or differential impacts on persons who share a relevant protected characteristic as defined in the Equality Act 2010, or upon persons which do not share such relevant protected characteristics (**CD E2**, page 7). The assessment states that (page 8):

'The use of Equality Impact Assessments to inform each phase of development will help to ensure the anticipated economic and social benefits will be accessible, safe, and inclusive to our diverse community.'

9.36 The Reserved Matters application includes 56 apartments, which have been designed with an inclusive approach to allow safe and secure access to all areas of the building enabling everyone to enter safely and independently. There are three apartments which are wheelchair accessible and eleven which are fully adaptable.

9.37 The Market Hall has also been designed with inclusivity as a key requirement, with the layout ensuring it is accessible to all with level access as well as a changing places facility provided at ground level next to the accessible toilet.

9.38 The design of the hotel has been developed with an inclusive approach to allow easy safe and secure access to all areas of the building. A single public entrance is provided with level access. Building users will enter a large lobby directly overlooked by the reception desk so staff can clearly see everyone who enters and exits the building.

9.39 The office includes lifts which enable inclusive access to all floors and also a secure cycle store with a dedicated access and changing facilities.

- 9.40 The Council's existing Equality, Diversity and Inclusion Strategy (**Appendix IJ20**), reinforces its commitment to supporting people with disabilities to live independently in a safe, accessible, and inclusive town centre environment, and make the most of the leisure and employment opportunities offered through the ECF Phase 1 development.

10. SUMMARY & CONCLUSION

10.1 This Chapter summarises my Proof of Evidence and considers the conclusions against the relevant statutory tests and Guidance, namely the Compulsory Purchase Process and the Crichel Down Rules, issued by the Department for Levelling Up, Housing and Communities in July 2019 (**CD A8**) and Section 226 of the Town & Country Planning Act 1990 (**CD A2.1**). My evidence has considered:

- Whether the land is suitable for development with regard to the provisions of the development plan;
- Whether planning permission for any development on the land is in force;
- Any other material considerations;
- Whether the development is likely to contribute to the achievement of promoting or improving the well-being of the area (economic, social or environmental);
- Whether there is a compelling case in the public interest; and
- Whether there are any impediments to implementation.

The Development Plan & Other Material Considerations

10.2 The regeneration of St Helens Town Centre has been a long-standing ambition of the Council, going back over two plan periods (as detailed in Chapter 4). Previous statutory development plans identify the town centre regeneration objective of the Council, and the inclusion of references to the ECF Partnership within the newly adopted Local Plan coupled with the development of the Town Centre Masterplan Development Framework further emphasise the importance of bringing this scheme forward.

10.3 Chapter 6 of this Proof has demonstrated the compliance of the Scheme with the statutory development plan and other material considerations, including national policy in the form of the NPPF and local guidance, notably in the form of the Masterplan Development Framework.

10.4 The Scheme is a direct response to the identified issues and corresponding aims and objectives of the Local Plan.

Planning permissions in force

- 10.5 As well as being well documented in policy, the ambitions to redevelop the town centre have been recently facilitated by the Council in establishing the partnership with ECF, securing funding (including grant funding) and granting hybrid planning permission.
- 10.6 The Scheme as proposed through the hybrid application (as detailed in Chapter 5) was developed by ECF in partnership with the Council and other key stakeholders, including Merseytravel, as well as being the subject of extensive public consultation.
- 10.7 The hybrid planning permission is a proactive and fundamental step in realising the Council's key policy objectives.

Public Need & Well-Being Benefits

- 10.8 Chapters 3 and 4 of this Proof detail the market demand and socio-economic need for the Scheme, which establish the compelling need case in the public interest for the redevelopment of the Order Land through the Scheme.
- 10.9 As detailed in Chapter 7 of this Proof, there are significant well-being benefits associated with the First Phase Development, to be generated as a result of introducing a more varied housing offer within the town centre and providing new office accommodation, a hotel and improved retail space, set within a vastly improved area of public realm.
- 10.10 This will meet the need established in Chapters 3 and 4 of this Proof, in terms of market demand and socio-economic need. The Scheme will reposition the town centre as a desirable place for people to live, work and visit and support the economic growth (and related housing delivery) being delivered elsewhere in the borough. This includes protecting Green Belt land in the borough and maintaining its purpose to assist in urban regeneration by encouraging the recycling of urban land.
- 10.11 The Scheme will deliver substantial public benefits and will contribute to the economic, social and environmental well-being of the area.

Impediments

- 10.12 The objections to the CPO have been addressed within this Proof of Evidence (Chapter 8) and details of the implementation of the Scheme have been provided (Chapter 9), demonstrating that there are no over-riding issues in relation to the following, which would preclude development:

- Planning;
- Funding;
- Highways Agreements;
- Negotiations;
- Human Rights; or
- the Public Sector Equality Duty.

Summary

- 10.13 Overall, it is my opinion that the Scheme is in accordance with the relevant policies of the Development Plan and indeed is fundamental to the achievement of a number of the Plan's policies and objectives.
- 10.14 Hybrid planning permission has been granted and I do not consider there to be any significant barriers to the granting of subsequent Reserved Matters approvals for the development.
- 10.15 There is a clear, compelling case in the public interest for the Scheme and the Scheme will contribute substantially to the economic, social and environmental well-being of the area.
- 10.16 The First Phase development therefore meets the statutory tests set out within s226 of the TCPA and in national guidance. In summary, I consider that there is no planning impediment to the delivery of the Scheme.

11. STATEMENT OF TRUTH

- 11.1 I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

Iain Jenkinson

Iain Jenkinson

17 July 2023