

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**

Summary Planning

Proof of Evidence

of

Iain Jenkinson

of CBRE Limited

[17 July 2023]

- 1.1 I am Iain Jenkinson, Executive Director at CBRE Limited where I have worked for the last 8 years. I specialise in large-scale, mixed-use regeneration projects, from inception through to post-planning consent, funding and construction stages.

Background

- 1.2 I have advised St Helens Council on the regeneration plans, including the St Helens town centre redevelopment project, since 2015.
- 1.3 I manage the team which obtained hybrid planning permission for the redevelopment of the town centre on behalf of ECF and that is currently preparing a Reserved Matters submission for the first phase.
- 1.4 I have prepared this Proof of Evidence in support of the St Helens Borough Council (St Helens Town Centre) Compulsory Purchase Order (CPO) 2022 (**CD D1**).
- 1.5 The evidence provided represents my true and professional opinion, in accordance with the guidance of my relevant professional institution.

Scope

- 1.6 I give evidence in respect of the planning justification for the Order. The CPO will be assessed against the relevant statutory tests and Guidance, namely the Compulsory Purchase Process and the Crichel Down Rules (2019) (**CD A8**) and Section 226 of the Town & Country Planning Act (TCPA) 1990 (**CD A2.1**). My evidence considers:
- Whether the land is suitable for development with regard to the development plan;
 - Whether planning permission for any development 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 Scheme

- 1.7 The Scheme is proposed by the English Cities Fund (ECF), who have entered into a 20-year partnership with the Council to regenerate the borough.
- 1.8 In 2022 the Council approved the St Helens Masterplan Development Framework (MDF), which provides a transformational vision for the town centre, establishing a route-map for delivering the ambitions of the ECF partnership. Subsequent to this, a hybrid planning application was submitted, and permission was granted for the Scheme in March 2023.
- 1.9 The Order Land comprises the First Phase Development, which forms part of the hybrid planning permission (**CD C1**). It involves the demolition of several existing buildings and their replacement with a mix of uses, access, infrastructure, servicing, public realm and landscaping.
- 1.10 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.

The Need for the Development

- 1.11 Across all asset types – offices, hotels, retail and residential – market trends in St Helens support the need for the holistic regeneration of the town centre. These trends have been recently exacerbated by the impacts of Covid-19 but were apparent long before the pandemic, as demonstrated by policies focusing on town centre regeneration, which span three plan periods.
- 1.12 There is also a clear need for a redeveloped bus station, given the operational constraints of the current facility and its inability to meet present and future needs.
- 1.13 Intervention is required to respond to market changes, balance demand and supply, act as a catalyst for growth and establish the town centre as a place which appeals to all.
- 1.14 This level of intervention is the basis for the Council's partnership with ECF and their involvement in the Scheme.
- 1.15 The significant development elsewhere in St Helens, including large-scale employment development, demonstrates that the borough is growing, and the town centre needs to respond to this to meet the needs of employees, residents and visitors.

Socio-Economic Context

- 1.16 Socio-economic indicators show that the authority has deteriorated in recent years from a deprived baseline, evidenced by increasing levels of deprivation. This provides the context for the Council's regeneration strategies and planning policies, with a focus on town centre regeneration dating back to the Unitary Development Plan (1998) 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.
- 1.17 The Scheme will deliver on the regeneration aspirations of the borough, in terms of directing development towards the town centre, including residential, retail, commercial and leisure uses and improvements to connectivity.

Planning Policy

- 1.18 The Scheme relates to the first phase of the town centre redevelopment, as set out in the MDF, and therefore mirrors the requirements of this document.
- 1.19 The Scheme also accords with the requirements of the statutory development plan (2022) and national policy, in the form of the NPPF.
- 1.20 This is reaffirmed through the granting of planning permission for the Scheme in March 2023.

Wellbeing Benefits

- 1.21 The First Phase Development (to which this CPO relates) will deliver numerous social, economic and environmental benefits and will make a very significant contribution to the promotion and improvement of the well-being of the area. Furthermore, the First Phase Development will act as a catalyst to deliver future phases, with associated well-being benefits.
- 1.22 It 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 of the TCPA 1990.

Objections

- 1.23 Ten objections were initially made to the CPO; however, five have since been withdrawn. Of the five remaining objections only one is from a qualifying objector.
- 1.24 Objections included a perceived lack of consultation regarding the proposals. However, the pre-application and post-submission consultation for the hybrid planning application, as well as numerous consultations on planning policy (including the MDF), have been extensive and have fulfilled the statutory requirements regarding consultation.
- 1.25 Several objections related to the heritage impacts of the loss of The Swan public house. The heritage impacts of the Scheme have been thoroughly assessed by the applicant, statutory consultees and Local Planning Authority (LPA) and the hybrid planning application was determined by the Council on this basis, in line with statutory requirements and policy requirements at national and local levels. An application to list The Swan was rejected by Historic England, which further reinforces that there are no significant heritage issues which would preclude the granting of the CPO.
- 1.26 Objections to the CPO also referenced the need for the demolition of The Swan. The Proof by Andrew Cairns demonstrates the compelling need for the demolition of The Swan, in order to redevelop the bus station, and evidences the lengthy design process and optioneering exercise which has informed the proposed design solution. Without The Swan, the proposed bus station will be unacceptably compromised.

Implementation

- 1.27 There are no over-riding issues in relation to the following, which would preclude development:
- *Planning*: hybrid planning permission has been secured and a Reserved Matters submission is anticipated in Summer 2023 for ECF's Phase 1 of the Scheme;
 - *Funding*: numerous funding sources have been identified and the Council and ECF are currently reviewing the Partnership funding strategy, as detailed in the Proof of Sean Traynor;
 - *Highways Agreements*: Stopping up Orders and Traffic Regulation Orders will be required but the principle of these works has already been agreed through the hybrid planning permission;
 - *Negotiations*: the Council is progressing negotiations with affected occupiers and owners, as detailed in the Proof of Ged Massie;

- *Human Rights*: the requirements of the Human Rights Act 1998 (**CD A3**) and the European Convention on Human Rights 2021 (**CD A5**) have been carefully considered and interference with Convention rights is considered by the Council to be lawful, justified and proportionate in this case, in order to secure the benefits of the Scheme;
- *The Public Sector Equality Duty*: the Council has fully considered the requirements within the Equality Act 2010 (**CD A4.1**) and undertaken a Community Impact Assessment to ensure the anticipated benefits of the Scheme will be accessible, safe and inclusive to the borough's diverse community.

Summary

- 1.28 There is a compelling need in the public interest for the redevelopment of the Order Land through the Scheme, consistent with the statutory tests and guidance. 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 and aligns with national planning policies and has the benefit of planning permission from the LPA.
- 1.29 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.

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