

Hearing Statement – Matter 4

St Helens Local Plan

On behalf of Parkside Regeneration LLP

May 2021



I. Introduction

I.1. This is a Hearing Statement prepared by Spawforths on behalf of Parkside Regeneration LLP in respect of:

Matter 4: Allocations, Safeguarded Land and Green Belt Boundaries Parkside and Newton-le-Willows and Earlestown. (Session 6)

I.2. Parkside Regeneration LLP has significant land interests in the area and has made representations to earlier stages of the Local Plan process.

I.3. The Inspector's Issues and Questions are included in **bold** for ease of reference. The following responses should be read in conjunction with Parkside Regeneration LLP comments upon the submission version of the St Helens Local Plan, dated January 2019.

I.4. Parkside Regeneration LLP has also expressed a desire to attend and participate in Matters 2 and 3 of the Examination in Public.

2. Matter 4 – Employment Allocations

Issue 1: Parkside East (7EA) and Parkside West (8EA), Newton-le-Willows

Q1

Do the Green Belt assessments support the allocation of sites 7EA and 8EA and demonstrate exceptional circumstances for the removal of the land from the Green Belt.

- 2.1. Parkside Regeneration LLP conclude in response to Matter 3, Q4, that there is clear evidence of need for employment land across the LCR and within St Helens, that the scale of need for B8 warehouses is significant, and there is a substantial shortage of suitable sites within the urban areas available to meet the identified needs. Moreover, there is a socio-economic imperative to meet the identified employment needs in order to reduce inequalities. St Helens indices of deprivation summary, 2019, notes that St Helens is now ranked 26th most deprived local authority in England out of 317, a worsening in its position since 2015 where it ranked 36th most deprived area. Significantly the report notes that the employment deprivation domain is one of domains of greatest concern. This provides clear justification that exceptional circumstances exist to support the review and release of Green Belt to meet the need for employment land.
- 2.2. It is against the context of the significant need for B8 uses within St Helens and the Liverpool City Region, and the sector's specific locational requirements that the circumstances for releasing Parkside West should be judged. Parkside West has the ability not only to respond to the markets locational and site requirements, but to respond to the regeneration imperative which contributes to the exceptional circumstances to release Green Belt, as set out above and within the attached Delivery Statement.
- 2.3. Parkside West has excellent connectivity both strategically and locally. The site is highly accessible to the local community by non-car modes/active travel, as demonstrated in the Traffic and Transport Statement, please see Appendix I and within the Council's own evidence

contained within TRA004¹. The 2019 IMD identifies some of the surrounding neighbourhoods as being in the 10 % and 20% most deprived neighbourhoods in England. Parkside West benefits from connectivity by public transport to the wider area, providing significant opportunity to access employment to areas some of which are noted to be in the nation's 1% and 5% most deprived neighbourhoods². Furthermore, Parkside West is a part previously developed underutilised and degraded site, blighted by anti-social behaviour. In the light of the above, Parkside Regeneration LLP, consider that the release of Parkside West has a unique ability to make a substantial contribution towards the significant identified need for employment land, and to meet the regeneration needs of Newton-le-Willows, Earlestown and the wider area. The Alternative Site Assessments (ASA) by Spawforths, prepared to support the Phase I planning application and subsequently updated to support the associated Call In inquiry³ concluded that there were no alternative sites within the urban area or with planning permission that were capable of meeting the identified need.

- 2.4. This assessment and subsequent update to the ASA along with the Council's committee report for the Phase I application assessed whether any of the other potential Green Belt sites were preferable alternatives that could be developed without harm being caused to the Green Belt, representing stage 3 of the Alternative Sites Assessment. The ASA update⁴ notes that alternative site assessments have been undertaken by other applicants for other employment applications, and these assessments have recognised that the Parkside Site is a part brownfield site, and represents a preferred alternative, within the assessments for those applications. The ASA update reviewed seven sites which were considered potential suitable to meet the requirements of the logistics sector, in terms of location and technical constraints and against the purposes of the Green Belt at Stage 3. The ASA update considers all these sites against all five purposes of the Green Belt, and reviews the findings of the Councils 2016 and 2018 Green Belt Assessments. The ASA update concludes that of the seven sites assessed at Stage 2, the Parkside West site performs more favourably when compared to all other Green Belt sites. Parkside Regeneration LLP consider in the light of the ASA update that Parkside West is the most suitable Green Belt site to meet the established employment needs. Parkside

¹ TRA004 St Helens Sustainable Transport Assessment Report, January 2019

² Indices of deprivation 2019, St Helens Summary Report https://www.sthelens.gov.uk/media/329160/indices-of-deprivation-2019-summary-report_accessible-version.pdf

³ P/2018/0048/OUP and PCU/CONS/H4315/324468

⁴ P/2018/0048/OUP and PCU/CONS/H4315/324468 Appendices to proof of evidence of David Rolinson on Planning

Regeneration LLP consider that there are clear exceptional circumstances to support the release of site 8EA (Parkside West).

- 2.5. The Council's own evidence, including their Green Belt assessments corroborate this view. The Stage 1 B Green Belt Assessments [Appendix C of The Green Belt Review 2018 [SD020] confirms that the Parkside West site does not perform strongly in its assessment of the site against the purposes of the Green Belt. The assessment confirms that given the high level of enclosure and recognising that it is in part previously developed, that the development of the Parcel would not lead to unrestricted sprawl (Purpose 1); a strategic gap could be maintained between Winwick and Newton-le-Willows (Purpose 2), and the site does not have a strong sense of openness or countryside character (Purpose 3). The Stage 2B assessment [SD021] considers the constraints and concludes that there are no constraints that would preclude the development of Parkside West and that the site performs strongly in its assessment of development potential.
- 2.6. Further refinement is carried out under Stage 3 [SD020], which confirms that the Parkside West site is one of the best development opportunity sites within the Green Belt. Having regard to the SA conclusions it considers that the potential negative effects could be mitigated but that critically the site at Parkside west is capable of delivering economic benefits, and that due to its location within 1km of one of 20% most deprived neighbourhoods in England, that the release of the site for employment development could serve to reduce poverty and social exclusion, and due to its public transport links will reduce the need to travel by car. The Stage 3 assessment reiterates that there are no overriding constraints that cannot be mitigated and the site is well contained between the built up area and the M6.
- 2.7. Parkside Regeneration LLP consider that exceptional circumstances exist to support both the release of Green Belt within St Helens to meet the identified need for employment land, and also the evidence demonstrates that these circumstances extend to supporting the release of land from the Green Belt at Parkside West (8EA), which has the unique ability to meet both the overriding employment needs and support the delivery of the overarching regeneration ambitions of the Plan addressing poverty and social exclusion.

Q2 **If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?**

2.8. Parkside Regeneration LLP have no specific comments on this issue.

Q3 **Is the configuration and scale of the allocations and safeguarded land justified taking into account development needs and the Green Belt assessments?**

A **Is the allocation of a SRFI of the scale proposed in the Plan justified**

B **Would a facility of a smaller scale (for example handling up to 8 – 10 trains daily) achieve similar benefits whilst minimising potential impacts (for example a reduced amount of Green Belt Land needing to be released as these smaller options would only utilise land to the east of the M6 for road and rail infrastructure?)**

C **Could the Plan’s aim of seeking to maximise the opportunities of delivering an SRFI of regional and national significance still be achieved?**

2.9. Parkside Regeneration LLP has no specific comments to make in response to Q3 as Parkside Regeneration LLP own and are promoting Parkside West rather than Parkside East. However Parkside Regeneration LLP have worked in collaboration with the Council to assess the suitability of the Parkside location to deliver rail related employment uses. Parkside

Regeneration LLP support the conclusions within the Parkside Background Paper [SD024] which confirms that Parkside West is unsuitable for rail related employment uses and that Parkside East is the more suited location to meet those requirements. Parkside Regeneration LLP reiterate that the nature of the SRFI requirements has changed from the original Core Strategy assumptions, and that it can no longer be accommodated on Parkside West, but that it can be accommodated within the wider Parkside Site (7EA), with a rail reversing leg within Parkside West (8EA). Parkside Regeneration LLP sought advice from Arup in respect of the requirements for a viable SRFI, who have concluded that the Parkside West site was incapable of meeting the train length requirements for a viable SRFI and hence such a use was no longer appropriate on the former colliery site (Parkside West (8EA)). The Council's expert consultancy confirmed this view⁵.

- 2.10. Furthermore, Parkside Regeneration LLP would reiterate the points made earlier within this statement, the appended Delivery Statement and within the Matter 2 and Matter 3 statements, regarding the scale of Employment Need in St Helens, and the wider City Region. Parkside West site (8EA), makes a substantial contribution towards meeting the significant scale of identified need, which cannot be met without the release of Green Belt land.
- 2.11. On a separate but related note, as indicated earlier, and within Policy LPA10, a rail reversing leg on Site 8EA is required to facilitate the SRFI at Site 7EA. Parkside Regeneration LLP's earlier representations highlight that the alignment of the proposed safeguarding route for the rail reversing leg, differs from the alignment within Planning Application P/2018/0048/OUP, subject to the current Call In. In order to ensure that the Local Plan is sufficiently flexible and effective and to address our previous representations, Parkside Regeneration LLP suggest a modification to the wording within Criterion 4 of Policy LPA10.
- 2.12. The suggested modification to the wording to Criteria 4 of LPA10 is "*That part of the site 7EA which falls to the west of the M6 is safeguarded from all forms of development unless it can be shown that such development within it will not prejudice, or ~~so that it~~ may provide, effective and deliverable future siding facilities in connection with the development of an SRFI or other rail-enabled development within the part of the site which falls to the east of the M6 (see policies map)*"

⁵ P/2018/0048/OUP and PCU/CONS/H4315/324468 Proof of Evidence by David Rolinson, Appendix 15

Q4

Would the adverse impacts of developing Sites 7EA and 8EA (Green Belt impacts, landscape impacts, highway safety, flood risk, agricultural land, air quality) outweigh the benefits?

- 2.13. The Council's Sustainability Appraisal [SD005] (SA) assesses Parkside West against the site assessment framework. This assessment indicated that the Parkside West development had the potential to have a negative impact in relation to protecting and enhancing biodiversity, protecting and improving land quality, and improving air quality, with potential negative effects that could be mitigated in relation to sustainably managing water resources, and landscape sensitivity.
- 2.14. The Green Belt Assessment [SD020] takes into account the SA appraisal when carrying out the Stage 3 assessment. It considered that whilst the allocation of the site for employment purposes could have a mixed impact in terms of the SA objectives, that the site would deliver economic benefits, and that due to its location, within 1km of a neighbourhood ranked as 20% most deprived in England, would help to reduce poverty, and social exclusion, and due to its public transport links, and accessibility would reduce the need to travel. The Stage 3 Green Belt assessment considered that careful masterplanning would enable the SA identified negative effects, to be mitigated.
- 2.15. In terms of the impact on the five purposes of the Green Belt, the Green Belt assessment did not assess the parcel as performing a strong Green Belt role. The assessment also considered that there were no overriding constraints that could not be mitigated. The Council's evidence is clear that the potential for negative impacts identified by the SA, are far outweighed by the positive impacts. Parkside Regeneration LLP consider that the ability to bring this part previously developed site back into beneficial use; making a significant contribution towards meeting the substantial identified need for employment land within St Helens, and the City Region, in particular for B8 Warehousing and Distribution, which has specific locational requirements; where there are no reasonable alternatives available to meet this need within the urban area; and in an accessible location where the site is capable of contributing towards

the delivery of the regeneration ambitions of the Plan weigh heavily in its favour, supporting its release from the Green Belt and outweighing any potential negative impacts.

- 2.16. Furthermore, Parkside Regeneration LLP note that the SA is based on a high level assessment of effects. Parkside Regeneration LLP have undertaken a number of technical studies in support of the Planning Application for Phase I, and further work is underway in respect of the subsequent phase of development. The suitability and deliverability of Site 8EA is evaluated in detail within the Delivery Statement (Appendix 3). This is supplemented by the Transport and Movement Statement, Curtins, (2021) attached at appendix 1 and the St Helens Local Plan examination Air Quality Statement, Royal HaskoningDHV (2021), attached at Appendix 2. Conclusions in relation to Question 4 are summarised below.
- 2.17. In respect to highway safety, Site 8EA has been subject to detailed traffic and transport analysis as part of the current Phase I planning application and ‘call-in’ inquiry. The site has been subject to significant scrutiny, and traffic and transport mitigation has been developed that has satisfied SHMBC Highways, WBC Highways and Highways England. There is nothing to suggest any unacceptable highway impacts would occur.
- 2.18. In regards to air quality, the evidence presented before the Phase I application at Parkside West, and PLR Call-In inquiries, demonstrated that there would be no significant adverse effects on local air quality. This is based on the consideration of both short-term and annual average effects of traffic related exhaust emissions at a range of representative receptor locations, in what is considered to be a conservative approach.
- 2.19. The evidence considered by Parkside Regeneration LLP’s air quality specialist indicates that Parkside West itself will not result in any exceedances of the Government’s health-based air quality Objectives, and air quality within designated AQMAs will not be significantly affected. Recent monitoring data and mapping datasets by Defra, show that background air pollutant concentrations are reducing over time, and increasingly more stringent vehicle emissions specifications will lead to a reduction in pollutant releases compared to when the Phase I and Parkside Link Road (PLR) application were first submitted.
- 2.20. Evidence presented at the Inquiry demonstrated the travel modal shift implications of the development. In assessing accessibility by bus, cycle, foot and particularly by rail (via the upgraded Newton- le Willows rail station) the conclusions were that accessibility and sustainability opportunities are positive and that the development is suitably located.

Therefore in respect of road traffic and associated air quality, there are no material adverse impacts to the scheme.

- 2.21. In terms of the remainder of Parkside West (8EA) Phase 2, the PLR application and Inquiry considered the potential traffic and associated air quality impacts, based on the assumption that Parkside Phase 2 would be predominantly accessed by the PLR, and thus will come forward once the PLR is constructed. Whilst Phase 2 has not been assessed in isolation, the evidence with respect to cumulative traffic and air quality impacts presented to date provides sufficient, and proportionate evidence that future local air quality effects arising from the development will not be significant. Evidence presented at the PLR Inquiry concludes that there would be no predicted exceedances of the Government's Health-based statutory air quality Objectives in opening year of 2024 or design year of 2034. The Phase 2 development will not lead to the declaration of a new AQMA or to an unacceptable decline in air quality in any area⁶. Furthermore Phase 2 of Site 8EA will benefit from the same modal shift, accessibility and sustainability measures as for Phase 1. Parkside East (7EA) is seen as Phase 3 and the premise of the SFRI is that it will inherently provide for enhanced modal shift of the transportation of goods and associated local and wider air quality benefits will accrue from the replacement of long-haul road vehicles movements.
- 2.22. Parkside Regeneration LLP's proportionate air quality evidence is that the Parkside West (Site 8EA) developments will meet all of the relevant requirements of the NPPF, UK Air Quality Strategy Objectives, the Air Quality PPG and local saved and proposed policies.
- 2.23. In relation to Biodiversity, Parkside Regeneration LLP are committed to delivering 10% biodiversity net gain, which was not considered through the SA assessment. In terms of agricultural land the SA, based on the evidence available at the time, considered that 99% of the site was Grade 3. As noted in the Delivery Statement, the Agricultural Land Classification report prepared in support of the Call In Inquiry provides a finer grain analysis. It is clear from this analysis that a substantial proportion of the site is not Best and Most Versatile land. Furthermore, the Agricultural Land Classification report confirms that the site has not been actively farmed since 2007, has been compromised by its previous colliery activities and would take a considerable period of time to be brought back to productive use.

⁶ St Helens Local Plan examination Air Quality Statement, Royal HaskoningDHV, attached at Appendix 2.

- 2.24. In relation to water quality the technical work to support the Planning application, confirms that development of Parkside West is expected to result in improvements in water quality and reductions in off site flood risk providing betterment to the existing situation.
- 2.25. The SA considers that the landscape is of low sensitivity, and evidence to support the Planning application confirms that the landscape is not a “valued landscape”, and whilst it is concluded that there will be some effects on the landscape, that these effects should be considered in the context that the development will in part remediate and mitigate despoiled, degraded, derelict land.
- 2.26. In light of the above, Parkside Regeneration LLP consider that the weight to be ascribed to some of the negative effects predicted by the SA, is further reduced, and that these potential negative effects are far outweighed by the clear and identified benefits related to the delivery of Parkside West (8EA).

Q5 **Are the requirements for Sites 7EA and 8EA within Policies LPA04, and LPA04.1 and LPA010 (Site 7EA) and Appendix 5 (Site Profiles) positively prepared and effective?**

- 2.27. As stated earlier, our submitted representations highlight that the alignment of the rail safeguarding route illustrated within the Local Plan differs from the alignment within Planning Application P/2018/0048/OUP, subject to a current Call-In. In order to ensure that the Plan is sufficiently flexible and effective and to address the matters raised in our previous representations Parkside Regeneration LLP suggest that an appropriate form of wording could be agreed by way of Modification to Criterion 4 of policy LPA10.
- 2.28. The proposed wording to Criteria 4 of LPA10 is “*That part of the site 7EA which falls to the west of the M6 is safeguarded from all forms of development unless it can be shown that such development within it will not prejudice, or so that it may provide, effective and deliverable future siding facilities in connection with the development of an SRFI or other rail-enabled development within the part of the site which falls to the east of the M6 (see policies map)*”.

Q6 Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Table 4.1 justified and effective?

2.29. Parkside Regeneration LLP have no specific comments on this issue, however we would refer the Inspector to the appended Delivery Statement, which demonstrates that the former Colliery site, Parkside West (8EA), can be brought back into effective use, and the associated Indicative Masterplan demonstrates that the identified employment uses can be delivered on Site 8EA, having regard to the provisions within Table 4.1.

Q7 Will infrastructure to support the allocations be delivered at the right time and in the right place?

2.30. Parkside Regeneration LLP confirm that the infrastructure necessary to open up the site has been fully costed, with consequential funding mechanisms established. Phase I has been designed to utilise the area's existing infrastructure, along with any necessary improvements to cater for the Phase I impact. Significantly, Phase I of the Parkside West has been designed so that it is not reliant of the delivery of the PLR and hence that it is capable of coming forward in advance of the PLR construction.

2.31. Parkside Regeneration LLP have engaged with St Helens Council Highways Officers to ensure that the delivery of the Phase I infrastructure and the delivery of the PLR can occur simultaneously. St Helens Council (as sponsors of the PLR) have confirmed that funding has been secured for the PLR, and there is no evidence to suggest that it cannot be delivered within the early phase of the Plan Period. Parkside Regeneration LLP are committed to delivering both phases of Parkside West and hence there is no evidence to indicate that Phase 2 cannot be delivered within the Plan period. There are no known infrastructure requirements that would preclude the delivery of Site 8EA within the Plan period.

Q8

Would there be a delivery implication for sites 7EA and 8EA if a suitable connection to Junction 22 (whether via the proposed Link road or an alternative link) is not delivered during the Plan period?

- 2.32. The statement by Curtins, in Appendix I, confirms the suitability and deliverability of Site 8EA with respect to highways issues. The Parkside Phase I application, which covers circa half of Site 8EA, was progressed on the basis that the PLR and a connection to J22 was not necessary to mitigate its traffic impact. A suite of documentation prepared for the Planning application and the Call-in inquiry⁷ concluded that highways mitigation along the A49 would be sufficient to enable development of Phase I. This position was supported by SHMBC, WMC Highways and HE.
- 2.33. The PLR application which included consideration of Sites 7EA and 8EA in their entirety assumed that the PLR would be in place to accommodate their traffic, but modelling was undertaken to consider a with and without PLR scenario. The results of this assessment, coupled with knowledge from the Phase I application suggest that the PLR or an alternative would be required to accommodate Phase 3 (Site 7EA), and most likely required to accommodate Phase 2 (Site 8EA). Parkside Regeneration LLP reiterate the Council's comments in SHBC001 that the PLR benefits from funding from LCR Combined Authority, and therefore is fully deliverable within the Plan Period.

Q9

In terms of feasibility and deliverability, will the future capacity of the rail network be capable of facilitating the delivery of an SRFI at Parkside?

⁷ P/2018/0048/OUP and PCU/CONS/H4315/324468

2.34. Parkside Regeneration LLP have no specific comments on this issue.

Q10 **What level of certainty is there that here will be sufficient capacity and is that sufficient to demonstrate that the proposed facility will be deliverable during the Plan period?**

2.35. Parkside Regeneration LLP have no specific comments on this issue.

Q11 **Are there any barriers to Sites 7EA and 8EA coming forward as anticipated.**

2.36. Parkside Regeneration LLP have prepared a Delivery Statement, appended to this statement, which confirms that from a deliverability perspective there are no significant constraints that would prevent Site 8EA coming forward as anticipated. This accords with the Council's evidence in SD020, SD021 and their response to the Preliminary Questions.

2.37. An application for Phase I has been submitted, with a resolution to grant permission, subject to the outcome of the current Call In Inquiry. Parkside Regeneration LLP confirm that they are committed to delivering the Phase I scheme as soon as the relevant permissions are in place. The supporting transport infrastructure (PLR), which will facilitate the delivery of Phase 2 is considered deliverable within the Plan period. The PLR scheme has secured funding from the LCR Combined Authority, and as such there are no transport constraints that would prevent Site 8EA coming forward in the Plan Period.

2.38. Parkside Regeneration LLP will continue to liaise with partners to ensure the delivery of infrastructure to facilitate the development of Parkside West in a timely manner, and bring forward the delivery of Phase 2 as soon as practicable. Parkside Regeneration LLP maintain that Site 8EA, is available, suitable, and achievable and therefore deliverable, consistent with the provisions and definitions within the Framework.

Conclusion

2.39. Parkside Regeneration LLP support the retention of Site 8EA within the draft Local Plan and would also support the following:

- In order to ensure that the Local Plan is effective and sufficiently flexible, Parkside Regeneration LLP suggest the following modification to LPA10. “That part of the site 7EA which falls to the west of the M6 is safeguarded from all forms of development **unless it can be shown that such development within it will not prejudice, or so that it** may provide, **effective and deliverable** future siding facilities in connection with the development of an SRFI or other rail-enabled development within the part of the site which falls to the east of the M6 (see policies map)”.

Appendix I: Transport and Movement Statement

Appendix 2: Air Quality Statement

Appendix 3: Delivery Statement