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**THE TOWN AND COUNTRY PLANNING ACT 1990**

**AND**

**THE ACQUISITION OF LAND ACT 1981**

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

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**STATEMENT OF REASONS**

# Contents

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<b>Clause</b>	<b>Page</b>
1. INTRODUCTION .....	3
2. THE STRATEGIC DELIVERY PARTNERSHIP .....	5
3. POWERS UNDER WHICH THE ORDER WAS MADE .....	6
4. THE NEED FOR THE DEVELOPMENT .....	8
5. DESCRIPTION OF THE REGENERATION PROPOSALS .....	11
6. THE PUBLIC BENEFITS OF THE FIRST PHASE DEVELOPMENT .....	17
7. PLANNING FRAMEWORK FOR THE ORDER LAND .....	22
8. LAND AND NEW RIGHTS TO BE ACQUIRED UNDER THE ORDER .....	24
9. NEGOTIATIONS .....	25
10. DELIVERY AND FUNDING .....	25
11. RELATED ORDERS AND SPECIAL KINDS OF LAND .....	28
12. HUMAN RIGHTS ACT .....	28
13. EXTENT OF THE SCHEME .....	30
14. CONCLUSIONS .....	31
15. DETAILS OF CONTACTS .....	33
16. INQUIRIES PROCEDURE RULES .....	33
17. LIST OF DOCUMENTS .....	33
<b>Plans</b>	
1. The Order Land (the "First Phase Development") .....	35
2. Masterplan Development Framework Plan ("the Scheme") .....	36
3. The Planning Permission red line boundary .....	37
4. St Helens Town Centre Character Zones .....	38
<b>Appendices</b>	
1. Planning Policy Extracts .....	39

## 1. INTRODUCTION

- 1.1 This document is the Statement of Reasons of St Helens Borough Council ("**the Council**") for The St Helens Borough Council (St Helens Town Centre) Compulsory Purchase Order 2022 ("**the Order**") that has been made by the Council, and which is to be submitted to the Secretary of State for Levelling Up, Housing and Communities ("**The Secretary of State**") for confirmation.
- 1.2 The Council has made the Order pursuant to the powers in Section 226(1)(a) of the Town and Country Planning Act 1990 ("**the Act**"), which are described below. In this Statement of Reasons, the land included within the Order is referred to as "**the Order Land**" and this is shown edged red and shaded pink on **Plan 1** appended to this Statement. The Council is the Local Planning Authority for the Order Land and is the Local Highway Authority for the roads in the Order Land. This Statement of Reasons sets out the Council's justification for promoting the Order and explains why there is a compelling case in the public interest for the confirmation of the Order.
- 1.3 This Statement of Reasons has been prepared in compliance with paragraph 196 of Section 12 of Tier 3 of the Department for Levelling Up, Housing and Communities' Guidance on Compulsory Purchase process and the Crichel Downs Rules (July 2019).
- 1.4 St Helens town centre is suffering because of widespread structural changes to the retail market, which have been exacerbated and accelerated by the impacts of the Covid-19 pandemic. This has resulted in an over-supply and lack of variety of retail floorspace, with a lack of an experiential offer in the town centre, which has reduced footfall and dwell-time and resulted in the town centre being an unattractive place to visit. There is a consequent spiral of decline, which can only be addressed through a comprehensive transformation of the town centre.
- 1.5 The Council proposes to regenerate St Helens town centre on a comprehensive basis by bringing forward the Scheme (as shown on **Plan 2**) in accordance with its St Helens Town Centre Masterplan Development Framework ("**the MDF**") as adopted by Cabinet in February 2022. The Scheme involves a comprehensive regeneration of the town centre, involving a series of linked initiatives, improvements and developments that will result in transformational change.
- 1.6 A key early element of the Scheme is a mixed-use First Phase Development ("**the First Phase Development**") at the heart of the town centre. The First Phase Development involves the demolition of several existing buildings, including the Hardshaw Centre shopping centre, and their replacement with a mix of uses including residential units; commercial, hotel, retail and food and drink uses; a new purpose-built market hall; an improved and extended bus station; and community and learning uses. It also includes associated access and infrastructure, servicing, public realm and landscaping. It is the First Phase Development to which the Order and the Order Land relates.

- 1.7 Hybrid planning permission has been granted to the English Cities Fund (“ECF”) by the Council on 27 September 2022 (reference P/2022/0212/HYBR). Full permission has been granted for demolition in a conservation area and for proposed demolition and site preparation works. Outline permission has been granted 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 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 (the “Planning Permission”). The full extent of the Planning Permission is shown on **Plan 3**, of which the First Phase Development and the Order Land form part.
- 1.8 ECF are the Council’s strategic development partner and will deliver the Scheme. ECF is currently preparing to deliver the First Phase Development, having secured the Planning Permission and engaged in detailed design. This First Phase Development is described in more detail in Section 5 of this Statement and the land required for the First Phase Development (comprising the Order Land) is shown on **Plan 1**. Not all of the land interests required for the First Phase Development are owned or controlled by the Council and/or ECF, so the Order is required to facilitate the delivery of the First Phase Development.
- 1.9 Once the First Phase Development has commenced, ECF and the Council will work together to deliver of the remainder of the Scheme. The First Phase Development will be a catalyst for the onward development of the remainder of the Scheme. It is currently anticipated that subsequent phases can proceed without the requirement for compulsory purchase.
- 1.10 The Council has already acquired several properties within the Order Land, including the Hardshaw Centre (a main shopping centre), the former Marks and Spencer store at 51 Church Street, and Unit 2 The Hardshaw Centre (including strip of land in front of Unit 2 and 69 to 71 Church Street). The Council will continue to seek to acquire the rest of the required land and property interests by negotiation. However, the Council is of the view that without the use of its compulsory purchase powers, the land for the First Phase Development will not be assembled. Accordingly, the Council has made the Order.
- 1.11 The Scheme’s regeneration proposals support the priorities of the ‘St Helens Local Plan up to 2037’ (adopted July 2022), especially in regard to supporting a growing population and a strong economy and supporting economic growth and create better job opportunities for local people. This is more important than ever post-Covid. The Scheme will contribute to homes for local people now, with the First Phase Development delivering a number of these homes and attracting new people to come and live in St Helens town centre. The Council, working with ECF, will continue to regenerate St Helens town and district centres through promoting initiatives and development in the Local Plan, which supports and enhances the Council’s vision to regenerate St Helens and support businesses in a post Covid-19 economy. It will also support our commitment to bring back into public use our civic buildings such as The Gamble Building, which is intended to be reimagined as the “Living Room” of the town with a relocated archives, library and related facilities that would

encourage greater footfall in the town centre and complement the intended uses of the First Phase Development.

- 1.12 The aims of the Scheme and, particularly, the First Phase Development proposals are consistent with the Levelling Up and Regeneration Bill, which is currently being considered by Parliament. This is in relation to supporting local growth, empowering local leaders to regenerate their areas, and ensuring everyone can share in the United Kingdom's success. This will deliver the identified growth needs of the Borough in the most sustainable way. It is strongly supported by national policy in the NPPF, especially Chapter 11, which seeks to make optimal use of previously developed land, especially in highly sustainable tier 1 settlements, such as St Helens.

## **2. THE STRATEGIC DELIVERY PARTNERSHIP**

- 2.1 The Council is of the view that to grow the economy of the Borough it needs a strategic partnership with a successful development partner that has a proven track record of delivering regeneration. Accordingly, the Council sought a strategic partner to work with it on a range of opportunities across the Borough for a 20-year period.
- 2.2 In March 2020, the Council selected ECF as its preferred strategic partner. This relationship developed following recognition that a new approach to growing the economy of the Borough would be required to work pro-actively with the private sector and to benefit from the substantial delivery track record of ECF.
- 2.3 In December 2020, the Council and ECF entered into an Overarching Development Agreement under which the parties committed to work together on several opportunities across the Borough with the aim of achieving the overall improvement of the social, environmental and economic wellbeing of St Helens. One of the opportunities identified was the regeneration of St Helens town centre, which was identified as an early priority. This approach is entirely consistent with the National Planning Policy Framework ("**NPPF**") imperative to optimise development on previously developed sites in highly accessible locations, such as town centres (NPPF Chapter 11).
- 2.4 ECF is a Joint Venture Limited Partnership between Muse Developments Ltd, Legal & General and Homes England that was established by the Government in 2001 to drive greater institutional and private investment in English towns and cities. ECF was a direct response to the Urban Task Force's report "Towards an Urban Renaissance", which sought to identify the causes of urban decline and establish a vision for Britain's cities based on the principles of design excellence, social well-being and environmental responsibility. ECF has successfully delivered significant regeneration schemes at Salford Central; Canning Town; St Paul's, Liverpool; Merchant Gate, Wakefield; and Millbay, Plymouth. ECF benefits from a fund of £200 million to deliver mixed-use, residential led urban regeneration.

2.5 The regeneration of St Helens town centre is one of the first projects to come forward under this strategic partnership between the Council and ECF. The First Phase Development brought forward under the Planning Permission will deliver transformational change to a key area of the town centre. The First Phase Development is the first element of the Scheme and comprises residential, retail, office, hotel uses, market hall, and a new and expanded bus station, together with associated high quality public realm and landscaping. The First Phase Development will be delivered by ECF, save for the new bus station, which the Council and Merseytravel will deliver.

### **3. POWERS UNDER WHICH THE ORDER WAS MADE**

3.1 The Order was made pursuant to Section 226(1)(a) of the Act, which provides that a local authority may acquire compulsorily land in their area if they think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land. Section 226(1A) of the Act states that the power may only be used where the local authority thinks that the development is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area.

3.2 The Council's purpose in seeking to acquire the Order Land is to facilitate its development, re-development and improvement by way of a mixed-use development described in more detail in Section 4 of this Statement. The First Phase Development, (comprising the Order Land), is the early and critical part of the Scheme. It will act as a catalyst and create the ideal conditions for the future phases of the Scheme to come forward.

3.3 The Council considers that the First Phase Development will contribute to the economic, environmental and social well-being of the area by delivering important and significant public benefits, as outlined in Section 6 below. The First Phase Development will also act as a catalyst for the wider Scheme and will contribute to the future securing of additional economic, environmental and social well-being of the wider area by delivering important and significant public benefits.

3.4 The Government's Guidance on Compulsory Purchase Process and the Crichel Down Rules (2019) states at paragraph 1 of Tier 1 that compulsory purchase powers are an "*important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change*". It continues that "*used properly, they can contribute towards effective and efficient urban ... regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life*".

3.5 Paragraph 2 of Tier 1 of the Guidance makes clear that compulsory purchase powers should only be used where there is a "*compelling case in the public interest*". This test is clearly met in this case.

3.6 Paragraph 94 and 95 of Section 1 of Tier 2, which provides guidance on the use of compulsory purchase orders made under the Act, states that the power is intended to be a

*“positive tool to help ... authorities ... to assemble land where this is necessary to implement proposals in their Local Plan or where strong planning justifications for the use of the power exist”.* It is stated that the power is *“expressed in wide terms and can therefore be used to assemble land for regeneration and other schemes”.*

- 3.7 Paragraph 104 of Section 1 of Tier 2 states that the use of the power *“needs to be set within a clear strategic framework”* with that framework being *“founded on an appropriate evidence base, and to have been subjected to consultation processes”.* It continues that the *“planning framework providing the justification for the order should be as detailed as possible”.* As is outlined in Section 5 below, the First Phase Development has the benefit of planning permission, which was the subject of public consultation. Further, the Scheme has been the subject of extensive consultation as part of the public consultation of the draft St Helens town centre MDF. The public consultation was officially launched on Monday 1 November 2021 and ran until Monday 13 December 2021, for a total of 6-weeks. The consultation period invited comments from the local community and stakeholders on the draft MDF. To ensure the consultation process was accessible to all interested parties and groups in the area, several methodologies were employed, including posters and printed material, social media, website, media, virtual exhibition and feedback map. The ambition to transform the Town Centre was supported/strongly supported by 88% of respondents. The First Phase Development will contribute towards the achievements of the objectives of the Council’s Local Plan and regional and national policy and is unanswerably in the public interest.
- 3.8 Paragraph 106 of Section 1 of Tier 2 sets out the matters that the Secretary of State will consider when deciding whether to confirm an order. These include whether the purpose for which the land is being acquired *“fits in with the adopted local plan ... or where no such up to date local plan exists, with the draft local plan and the National Planning Policy Framework; the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area; whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means...; and the potential financial viability of the scheme for which the land is being acquired”.*
- 3.9 At its Cabinet meeting on 2 February 2022, the Council passed an “in principle” resolution that, if necessary, it would consider the use of its compulsory purchase powers to acquire the land required for the Scheme if the land could not be purchased through negotiation. Despite continued efforts being made, it became clear to the Council that the First Phase Development would not be capable of being assembled by agreement. Accordingly, on 9 November 2022 the Cabinet resolved to make and promote the Order for the land included within the First Phase Development (which forms a key part of the Scheme). The Order was made on 9th December 2022.

## **4. THE NEED FOR THE DEVELOPMENT**

### **Town Centre Uses**

#### **Retail**

- 4.1 St Helens town centre is suffering from the effects of the well-publicised structural changes to the retail market, where on-line sales and changed shopping habits (such as “click and collect”) have significantly increased and retailers have reduced their requirements for physical retail floorspace across the country. Several large and well-known retailers have moved from the town centre and left vacant units behind, for example, both Marks & Spencer’s and Topshop closed in the town centre in 2019. Additionally, since 2017, a total of 34 separate businesses have closed or failed within the Church Square Shopping Centre and as a result, this centre has a current vacancy rate of 38%. The Hardshaw Shopping Centre has a similar vacancy rate of 39%. The UK wide comparison for the same period showed an average decrease of 20.3% and 23.2% respectively. Furthermore, St Helens town centre has seen increased competition for retailers from other town and city centres (including Liverpool, Manchester, Warrington and Widnes all of which have recently benefited from significant and ongoing investment) and from out-of-town retail parks that include the successful St Helens Retail Park and Ravenhead Retail Park, both of which offer free car parking.
- 4.2 This has resulted in increasing numbers of retail unit vacancies in town centres generally, and a decrease in rents. This trend is very evident in St Helens, which suffers from an over-supply of retail floorspace (manifesting itself as empty units) and a lack of variety and quality in its existing retail units, to which there is no apparent response beyond significant intervention. By November 2022, the number of recorded vacant retail units was 76 out of a total of 306, representing 24.84% of the total. The overall retail offer in St Helens is seen as poor by its communities and stakeholders, with an over-supply of lower value shops, including charity shops (10 in number accounting for 19,300 sq ft were recorded in the GOAD Category Report for St Helens 17 December 2020) and value brand retailers, and there is a need to create a broader experiential offer to entice people back into the town centre. Currently there is a lack of available suitable and attractive retail and food and drink units in the centre. The quality of the built environment has decreased and there has been a reduction in footfall and dwell-time.
- 4.3 The St Helens Retail and Leisure Study (2018 Update), which was undertaken by White Young Green, identified that in 2018 less than a quarter of respondents visited the town centre at least once a week. The proportion of vacant shops increased from 12.8% in 2011 to 15.8% in 2016, which was greater than the national average vacancy rates. By November 2022 the proportion of vacant units had increased further to 24.84%.
- 4.4 These underlying problems were exacerbated and accelerated by the Covid-19 pandemic and the number of vacant units in the town centre has increased further. The Government’s



decision to close non-essential retail outlets during the Covid-19 lockdown impacted both retail and leisure sectors. It is estimated that there was a reduction in retail sales of -7.5% in 2020 in St Helens (compared with 3.4% growth in 2019), thus intensifying the problems faced by retailers and leading to administrations and higher vacancy rates.

- 4.5 Furthermore, the 2018 Study revealed that the existing St Marys market hall was in decline, with only 51% of the units occupied, and this figure was seen as likely to decline. The traditional retail-led market hall lacks a variety and quality of goods, and it has no meaningful food offer. The market's location, which is remote and without visibility from the main shopping street or public transport hubs, and layout, which turns its back on the main shopping area of the town centre, does little to attract footfall. Further, the lack of food outlets means there is a lack of atmosphere to encourage people to enter and dwell.

### **Offices**

- 4.6 There is currently no supply of high quality or grade A office space in the town centre. Indeed, there has been no material addition to the town centre office supply for 20 years. This is resulting in businesses taking space outside the town centre (including in areas of Liverpool, Knowsley and Warrington) and being lost to St Helens, and businesses that wish to expand or relocate have no options in the town centre and are forced to relocate elsewhere.

### **Hotel**

- 4.7 St Helens town centre is lacking quality office offer, and visitors (leisure and business) therefore stay in hotels on the periphery of the Borough and in the surrounding areas. Thus, a key opportunity to bring visitors to help boost the town centre is being missed.

### **Town Centre Housing**

- 4.8 There is limited residential population to animate the town centre and no existing town centre residential market. The existing housing in St Helens town centre is generally low quality, with little alternative to the existing terraced stock that borders the town centre to the north. That housing stock does not reflect local need and does not provide for young professionals and families who wish to live in the town centre. The lack of a substantive town centre residential community, and the animation and boost to the economy that it brings, is contributing to the decline of St Helens town centre. It is also inconsistent with the NPPF imperative to optimise development in accessible town centres. St Helens Borough is a mid-value market area; however, the Town Centre ward is identified as a lower market value with an average house price of £95,000 (Land Registry March 2021- February 2022). The comparative England average is £346,000 for the same period. The Town Centre is characterised by a higher proportion of terrace properties and socially rented housing.

## **Built Environment**

- 4.9 The quality of the built environment and cohesiveness within the town centre is poor. Assets are disparate and disconnected, wayfinding is lacking, and public spaces do not achieve their full potential nor encourage dwell-time. The environment in parts of the town centre is generally unattractive, with a lack of greenery and useable public spaces.
- 4.10 Despite St Helens having a rich history and culture, the overall offer to draw people to the town centre is lacking. Cultural assets are under-appreciated and have suffered from a lack of investment. Some key assets are hidden from view or have been over-taken by insensitive modern developments, such as the Sankey Canal (the UK's first modern industrial canal); the World of Glass, a millennium project hosting the town's glass heritage that is disconnected to the heart of the town through poor quality public realm and wayfinding; and The Gamble Building, home to the St Helens' archive, requires significant building fabric remedial works. At present, these potentially attractive assets are under-used and not achieving their potential to draw people to the town centre.
- 4.11 Local connectivity in terms of pedestrian and cycle links is poor. The town centre's built form hinders permeability and visual sightlines, contributing to the underuse of public spaces. The link between St Helens Central Rail Station and the bus station is not obvious, nor does it provide a sense of arrival. Vehicles take priority and it is an unattractive and difficult environment for pedestrians and cyclists to navigate. A lack of dedicated cycling infrastructure causes risks to cyclists, specifically around the bus station, and cycle routes are not linked to the wider network – making it difficult for cyclists to be able to navigate through town safely.
- 4.12 The current dated bus station has several limitations, including that it lacks a pleasant and comfortable waiting environment for passengers, and it is difficult to access. One of the key barriers is that the current bus station is surrounded on all four sides by circulating traffic.

## **Unemployment and Deprivation**

- 4.13 St Helens has a higher proportion of claimants of unemployment benefits than the average for Great Britain and more workless households. Whilst the number of economically active people is higher than the national average, St Helens has a lower productivity rate, fewer people in higher value employment sectors given the sectoral make-up of the Borough, and gross weekly pay is below the regional and national average. High level professional jobs are under-represented, and the labour market is characterised by low skilled occupations. There is considerable commute out from St Helens to other places for work, including Warrington, Liverpool, Knowsley and Wigan.
- 4.14 The Index of Multiple Deprivation (IMD) 2019 is the most comprehensive measure of multiple deprivation available. The concept of multiple deprivation upon which the IMD 2019 is based is that different types of deprivation exist, which are separately recognised and

measurable. This data shows that, of those people living in St Helens Town Centre Ward, 79% live within the top 10% of the most deprived areas of England whilst the remaining 21% live within the top 20%. Whilst St Helens enjoys relatively high levels of employment (77.8% compared to a UK average of 75.5%), almost 3 in 10 jobs earn below the Real Living Wage (Annual Survey of Hours and Earnings - (ASHE) 2020- ONS). This is almost 10 percentage points above the City Region and National averages. This cocktail of low wage and high levels of deprivation results in low levels of disposable income, which further impacts upon footfall and spend within the town centre.

- 4.15 The Local Plan identifies that St Helens Borough is ranked as the 36th most deprived out of 326 local authorities in England. Its relative position has deteriorated since the 2010 Index of Deprivation that ranked the Borough as the 51st most deprived area. Deprivation levels in some parts of the Borough have also worsened relative to others. The proportion of children in low income families is higher than those in England and the North West as a whole. St Helens Borough still has levels of dependency on benefits that are above regional and national averages. The Local Plan seeks to reduce deprivation by supporting regeneration and balanced growth by ensuring that new development and investment can benefit deprived communities. Primary Local Plan policies which relate are LPA01-03, and 07. This is further supported in the Local Plan by recognising the need for high quality road, public transport and active travel links between existing and proposed residential areas, particularly those with high deprivation levels, and areas of employment growth.

### **Conclusions**

- 4.16 As is evident, St Helens town centre has suffered greatly from the difficulties experienced by the retail market, and the general decline that has affected retail will not be reversed absent significant intervention (such as proposed). These impacts have been accelerated and exacerbated by the Covid-19 pandemic, and urgent action is required to address the decline. There is a need for the repurposing and revitalisation of St Helens town centre, involving a comprehensive approach to change the mix of uses in the centre, reducing unwanted retail floorspace, creating a new residential community, and generally improving the public realm and environment in the town centre. In the absence of significant change, the unacceptable and unsuitable status quo will deteriorate yet further.

## **5. DESCRIPTION OF THE REGENERATION PROPOSALS**

### **The Planning Permission**

- 5.1 On 18th March 2022, ECF submitted a hybrid planning application (referenced P/2022/0212/HYBR) for a comprehensive regeneration scheme to address the fundamental issues outlined in Section 4. Permission was sought for:

- 5.1.1 full planning permission including permission for demolition in a conservation area and for proposed demolition and site preparation works; and

- 5.1.2 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 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.
- 5.2 At its meeting on 27 September 2022, the Planning Committee resolved to grant the Planning Permission subject to the completion of a Section 106 agreement and a schedule of appropriate conditions. The Section 106 Agreement is under negotiation and is expected to complete shortly.
- 5.3 The Order Land comprises the First Phase Development, which forms part of the Planning Permission for the Scheme, and which includes approximately 9.87ha of St Helens town centre. 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 (as shown on Plan 1). The Order Land is adjacent to the Victoria Square Conservation Area, to the north-west of the Order Land.
- 5.4 ECF's proposals for the comprehensive regeneration of the town centre (the Scheme), which include, amongst other areas, the Order Land (the First Phase Development), were set out in a Statement of Community Involvement which identified, following engagement in November and December 2021, that 88% of respondents agreed or strongly agreed with the transformational proposals for the town centre.
- 5.5 The proposals in the Planning Permission were also the subject of public consultation alongside the above consultation undertaken in relation to the Scheme. The public consultation ran from 1 November 2021 until 13 December 2021, for a total of 6-weeks, and pop-up events were held between 22<sup>nd</sup> November and 30<sup>th</sup> November (with a total of 14 events held) with the feedback being overwhelmingly supportive of the proposals and providing some helpful guidance as to what the local community wished to see.
- 5.6 Following the submission of the planning application the Council also undertook a period of consultation with statutory consultees and the public, putting up site notices and writing to 1,849 local residents. Hard copies of the application documents were also made available in St Helens Town Hall for public viewing. The addendum was submitted on 2<sup>nd</sup> August and a further period of consultation was undertaken by St Helens Metropolitan Borough Council.
- 5.7 The Planning Permission grants permission for the following elements of development across the Scheme:
- 5.7.1 the demolition of the Hardshaw Centre, the demolition of the Swan Hotel and the fish and chip shop adjacent to the existing bus station, and the demolition of buildings and retail units bounded by the bus station, Bickerstaffe Street and Corporation Street;

- 5.7.2 up to 9,519 sqm of retail, leisure, food and drink uses, including a new market hall;
  - 5.7.3 up to 28,423 sqm of office space;
  - 5.7.4 up to 800 sqm of arts/leisure/community and retail space;
  - 5.7.5 a 120+ bed hotel;
  - 5.7.6 up to 513 residential units;
  - 5.7.7 an improved and expanded bus interchange;
  - 5.7.8 public realm improvement works, including a new public square called "Bickerstaffe Square" and a new street from the town centre through to the new bus station called "New Market Street";
  - 5.7.9 the provision of new soft landscaping and green spaces, including the new "Discovery Park";
  - 5.7.10 the provision of up to 158 car parking spaces and cycle parking; and
  - 5.7.11 pedestrian and vehicle access improvement works, including access reconfiguration around the redeveloped bus station.
- 5.8 The new buildings will be up to 6 storeys high, with residential and office uses above, and retail and food and drink uses at ground level to activate the streets and areas of public realm. The environmental quality will be significantly enhanced, so that the development will sit within an attractive and welcoming town centre.
- 5.9 A high proportion of the Order Land that is included in the Planning Permission is occupied by developed land, predominantly retail units, with outdated car parks and roads dominating the area, along with the pedestrianised areas along Market Street and Church Street. Prominent within this is the Hardshaw Centre Shopping Centre that comprises 14,800 square metres of retail floorspace, containing 28 retail units together with rooftop car parking, which was acquired by the Council on 24<sup>th</sup> January 2022. This shopping centre has also suffered from national retailers vacating the area including Home Bargains and Argos. Currently, the Hardshaw Centre has a vacancy rate of 39%.
- 5.10 The existing St Helens bus station, which is operated by Merseytravel, is located in the north of the Order Land between Bickerstaffe Street and Corporation Street. The Swan Hotel and the Town Fryer Fish & 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. Some of these units are vacant.

- 5.11 Three areas of the Scheme are excluded from the Planning Permission, being the World of Glass Museum; St Helens Parish Church; and the buildings between Church Square and Foundry Street, and land between Hall Street, Church Street, Shaw Street and Bickerstaffe Street. These are excluded as development requiring planning permission is not intended for these areas.

### **The First Phase Development**

- 5.12 The First Phase Development is the “land bound by Corporation Street to the North, Hall Street to the East, Church Square to the South and broadly defined by Library Street to the West” and the Order is being promoted to facilitate the delivery of this First Phase Development. The First Phase Development forms part of the Scheme and is at the heart of the proposed regeneration and is at a strategic location near the rail station and the bus station. The First Phase Development is, therefore, a critical first phase of the regeneration Scheme, without which the regeneration of the town centre cannot progress.
- 5.13 The First Phase Development comprises the demolition of the Hardshaw Centre and the construction of a 25,000 sq. ft new market hall; new apartments and town houses; 8,000 sq. ft of retail, leisure and food and drink uses; a new 120+ bed hotel; 50,000 sq. ft of grade A offices; a new and expanded bus station; a new public square called Bickerstaffe Square; and new streets, public realm and environmental improvements.
- 5.14 The First Phase Development will signal the start of the physical regeneration in a prominent part of the heart of the town centre and will:
- 5.14.1 Introduce a mix of new uses and diversify the traditional retail offer through “shrinking and linking” the town centre; this will include the demolition of the Hardshaw Centre. Retail and food and drink units will be located at the ground level of the new non-retail uses so as to provide animation at street level. This will recreate the sense of a “high street” within the town centre and ensure that buildings retain active frontages, drawing footfall from the transport hubs in the north towards the World of Glass, the proposed Discovery Park and the St Helens canal to the south;
  - 5.14.2 Provide a new purpose-built market hall in a much-improved location that will include a more diverse range of units including a good offer including fresh food and street food. There will be food seating areas and flexible space, which will create a driver of footfall and help create an evening economy;
  - 5.14.3 Deliver quality town centre housing to provide for those wanting to live and experience the new amenities in the town centre. Whilst the Scheme will comprise up to 513 new homes, the First Phase Development includes circa 52 apartments and circa 9 town houses. This will appeal to a new socio-demographic and start to create a critical mass of new population who will live and invest in the centre. The homes to be provided will be predominantly 1 and

2 bedroom apartments, and 3-bedroom town houses. This will benefit the town centre by introducing footfall throughout the day and into the evening, thereby enlivening the town centre beyond the typical retail trading hours. The additional residents will support the evening economy of the centre, as well as ensuring that the town centre is sustainable by creating mixed use development;

- 5.14.4 The residential component in the First Phase Development will start to create a new town centre housing market, and will provide a basis for the further housing comprised in the Scheme to come forward;
  - 5.14.5 Provide circa 50,000 sq. ft NIA of new grade A and high quality, low carbon, highly sustainable, flexible office space, for those businesses who wish to locate to the town centre, and those who wish to expand and remain in the town centre, thereby providing space of a type which currently does not exist in the centre;
  - 5.14.6 Provide a new quality hotel, to help attract visitors to the town and to serve and support businesses in St Helens;
  - 5.14.7 Provide a new, expanded bus station with an enhanced capacity with better facilities for passengers. The redevelopment of St Helens bus station will 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. The First Phase Development includes proposals to close a section of Bickerstaffe Street to general traffic to make the bus station much more accessible from the town centre, and vice-versa, and consolidate and reduce traffic movements; and
  - 5.14.8 Positively change the perceptions of the town centre, through environmental improvements and the creation of new high-quality public realm, including the new Bickerstaffe Square, so as to create a new and attractive “place”.
- 5.15 The First Phase Development comprises a critical early stage of the Scheme and will act as a catalyst for the remainder of the Scheme and for the wider transformation of the town centre.
- 5.16 The First Phase Development reflects the vision for the Scheme set out in the St Helens Town Centre MDF which was produced by the Council and was endorsed by the Council’s Cabinet on 2nd February 2022, following an extensive public consultation.

### **St Helens Town Centre Masterplan Development Framework**

- 5.17 The Scheme is set out in the St Helens Town Centre MDF and is a long term (20 year) plan to guide private and public sector investment in the town centre. The MDF does not “allocate” land for development, but provides guidance for investors, developers, and decision-makers as to what the Council wishes to see come forward. It sets out a long term plan for investment, outlining physical changes that are to be delivered through the

implementation of the masterplan and provides a vision for the future of the centre. It identifies the opportunities and challenges that exist and illustrates thoughts and ideas around the significant commercial and leisure investment that will transform the centre.

5.18 The MDF identifies the key issues currently affecting the town centre, such as the poor condition of properties; lack of modern retail offer; lack of green spaces; lack of a sense of arrival and limited modern offices. The MDF identifies the need for the Scheme which will provide new retail spaces; new homes; high quality offices; hotel accommodation; a new and improved bus station; improved public realm; and new green spaces. It explains that the transformation of St Helens town centre will focus on its heritage, sporting and cultural assets, building on its uniqueness to do things differently and innovatively, including the global opportunity of Glass Futures and Foundation Industries. This focus will in turn help create vibrancy within the town centre for all to use, value and enjoy, making St Helens an attractive place in which to live, work, visit, and invest.

5.19 The MDF identifies several strategic objectives at the heart of the vision for St Helens which it considers will help to achieve the delivery of a culturally centred and vibrant town centre:

5.19.1 Delivering a diverse, vibrant and animated town centre;

5.19.2 Establishing a foundation for future growth;

5.19.3 Promoting high-quality town centre;

5.19.4 Creating a sustainable, accessible and connected town centre;

5.19.5 Positively changing perceptions of the town; and

5.19.6 Providing a health and community-focused town centre.

### **Development Zones**

5.20 The MDF divides the Scheme into four broad character zones, which have been delineated based upon key characteristics (as shown on **Plan 4**). Each zone has an important role to play in the comprehensive approach to the transformation of St Helens town centre. The Scheme includes Character Zones 1-4 as set out in the MDF:

5.20.1 **Zone 1 – Central Retail** – this is the heart of the town, occupied by traditional high street uses and focused on the Grade II listed St Helens Parish Church. There are opportunities to improve the built environment, landscaping and reduce the dominance of the insular shopping centres which reduce the permeability within the town centre. The Central Retail zone is bounded by the existing bus station and Claughton Street to the north, St George’s Quarter/Conservation Area to the east, Foundry Street/Chalon Way West to the south, and Bridge Street to the west;



- 5.20.2 **Zone 2 – Civic and Heritage** - this includes the majority of the town centre’s heritage assets and development coming forward will need to preserve and/or enhance the heritage assets. This zone comprises the area between St Helens Central (rail station), existing bus station around Bickerstaffe Street, George Street Quarter Conservation Area, Victoria Square Conservation Area, and the parcel of land between College Street and Birchley Street.
- 5.20.3 **Zone 3 – Discovery** - includes an arc of opportunity for change and future transformation for the town centre in an area of important buildings and structures that represent the cultural heritage and glass legacy of the borough. The zone is bounded by the Linkway (A58) to the south and east.
- 5.20.4 **Zone 4 – Education and Entertainment** Zone – includes St Helens College Campus, and leisure, food and beverage facilities.

5.21 The delivery of the First Phase Development comprising Zone 1, which is forecast to complete in Q1 2026, is the catalyst to bring forward the regeneration of the wider masterplan over the 20-year partnership.

## **6. THE PUBLIC BENEFITS OF THE FIRST PHASE DEVELOPMENT**

- 6.1 As the Government’s Compulsory Purchase Guidance states, a compulsory purchase order will only be confirmed if there is a compelling case in the public interest for the development to proceed.
- 6.2 As explained above, the First Phase Development will address the unsustainable and harmful over-supply of unwanted retail space, replacing it with attractive, more useable retail and food and drink units. The First Phase Development will comprise a new purpose-built market hall which will be a central focus and will eventually replace the existing, struggling, St Mary’s market hall. It will introduce new high quality office space to the town centre together with an international brand hotel and create new town centre residential units in the form of town houses and apartments. Importantly, it will also provide an enhanced sense of arrival at a new, more attractive bus station that will have greater capacity than the existing bus station, which will accommodate not only town centre regeneration, but wider borough development plans set out in the Local Plan. The above development will be sited in a high-quality public realm and environment. The proposals are precisely what is envisaged in the Government’s “levelling up” agenda.
- 6.3 The public benefits that will flow from the First Phase Development can be divided into social, economic and environmental benefits, in line with the requirements of Section 226(1A) of the Act:

## **Social**

- 6.4 The First Phase Development will drive transformational change for St Helens town centre. This will involve physical regeneration benefits on the ground but will also be a catalyst for wide-reaching positive impacts for the local community, businesses, and occupiers in the town which will be brought forward by the Scheme over the next 20 years and beyond. It will also regenerate one of the first parts of the town centre that rail passengers and bus users will see when they disembark and walk into the town, and thereby help create a positive impression.
- 6.5 The St Helens Town Centre ward in which the application site is located has been identified as falling within the 20% most deprived neighbourhoods nationally on average, according to the 2019 Index of Multiple Deprivation data. Of the seven types, or domains, of deprivation some of the most acute indices are higher levels of income, employment and health deprivation. The First Phase Development (leading to later parts of the Scheme) will provide employment and training opportunities for local people, both during the construction phase and when the development is open and occupied. There will be a range of employment opportunities, which will help to address the economic challenges encountered at St Helens. The numbers of estimated jobs are set out in the section on “economic” benefits below. Many of the jobs will provide the opportunity for formal or on-the-job training, thereby providing people with the opportunity to learn new skills and gain qualifications.
- 6.6 The provision of new housing in the town centre will help to meet the demand for town centre living that is currently not being provided for. Young professionals and young families in particular are not currently catered for, and the First Phase Development will provide a combination of townhouses and apartments to start to satisfy this demand. The housing element of the First Phase Development will help start creating a new community at the heart of the town centre and will create the conditions for the remainder of the proposed housing in the Scheme to come forward, leading (ultimately) to the delivery of up to 513 housing units. The First Phase Development is the critical first stage of this housing delivery, which will set the tone and ambition for a new town centre residential community.
- 6.7 It should be noted that there are no affordable housing units to be provided by the First Phase Development. This is because there is no affordable housing requirement in the town centre, and the focus is more on creating a sustainable town centre living sector in St Helens. Rather, the First Phase Development will provide a range of homes of different sizes (and in line with the average house prices for the St Helens borough) to help meet the demand which exists for such town centre living.
- 6.8 The new bus station, which will have an expanded capacity, will be more attractive to use, and this will encourage people to choose to travel more sustainably, and will help to move people away from using the private car.

- 6.9 The vastly improved environment of the town centre will increase the attractiveness of the centre to visitors and will provide a new setting for the town's cultural and heritage assets and will positively change perceptions of St Helens and the wider Borough. In turn this will help to attract future inward investment from businesses and further job opportunities into the town.
- 6.10 The neighbourhood crime rate for St Helens town centre is comparatively higher than the national average, according to the 2019 Index of Multiple Deprivation data. The introduction of a new residential community into the town centre, together with the hotel and office uses, will increase footfall in the town centre and will help build an evening economy. Such increased footfall, and increased surveillance over better-planned buildings and open space, will help reduce crime and antisocial behaviour.
- 6.11 The proposal will deliver significant social benefits.

### **Economic**

- 6.12 The First Phase Development will secure circa £74,000,000 investment in St Helens town centre<sup>1</sup>. It is unlikely that such levels of investment would have been secured without the comprehensive approach being taken by the Council and ECF in partnership. It will also set a firm foundation for further investment as the Scheme continues to be built out.
- 6.13 The comprehensive regeneration of the town centre will aid its recovery from the problems caused by the Covid-19 pandemic, and through the diversification of the uses in the town centre it will be more resilient to changes and shocks in future. The First Phase Development is a key first step in the regeneration of the town.
- 6.14 The First Phase Development will be an important first step in reducing the surplus and unattractive retail floorspace in the town centre and replacing it with units that will be more attractive and more sustainable propositions for retailers and the operators of food and drink establishments.
- 6.15 The rate of economic activity within the borough is slightly higher than the regional level and slightly lower than the national level, although rates of unemployment are slightly lower than both the regional and national levels. Most jobs within the town centre neighbourhood are within the 'Retail Trade and Motor Repairs' industry. In addition, a higher proportion of residents are in lower skilled occupations compared to higher skilled occupations. The First Phase Development will provide the opportunity for a broadening of the range of jobs that will be available in the town centre, including new office jobs, catering jobs and hospitality jobs.
- 6.16 The construction phase of the Scheme as a whole is anticipated to act as a catalyst for the regeneration of the local site area and immediate surrounds. The construction phase would

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<sup>1</sup> Town Centre Living and Regeneration Town Deal Full Business Case August 2022

generate 52 gross construction jobs over the 109-month construction duration (equivalent to 20 net construction jobs).

- 6.17 Within the operational phase, the Scheme would deliver between 374–513 new residential homes which equates to 5.1%-7% of the target for the Local Plan period. The First Phase Development would provide the first tranche of the new housing supply to be brought forward by the Scheme.
- 6.18 The non-residential floorspace proposed in the Scheme as a whole would create between 1,311–2,177 gross direct operational jobs that, when taking into account leakage, displacement, deadweight and induced/indirect jobs, would be equivalent to 261-645 net operational jobs.
- 6.19 During the construction phase it is envisaged that there will be between £14 million and £18 million of spend in the local area (20-40% of total spend) with 10% coming from SMEs, and when the Scheme is completed and occupied, it is envisaged that spend in the area will be between £1 million and 2 million each year.
- 6.20 The creation of a new residential community in the town centre will create footfall and help support the retailers and food and drink operators in the centre, not least the proposed new market hall with its greater emphasis on food outlets and being a destination in its own right. The First Phase Development will be the initial stage to creating this new community.
- 6.21 There is currently no supply of new high quality office space, and that lack of supply results in businesses having no options for locating in the town centre, and instead having to locate or relocate elsewhere and outside of the town centre. The proposed new office space will help create a new grade A office market, which will help to bring new businesses and employers into the town centre. The First Phase Development offices will be built speculatively, and so create a new office offer that is currently lacking in St Helens town centre.
- 6.22 The new quality hotel will bring visitors and spend into the town centre. ECF has received robust interest for the hotel opportunity from a premium brand and additionally management interest. At this stage it is too early to start marketing and engaging with potential retail and leisure operators that typically will register interest circa 12-months prior to completion of construction works. Based on the new offering that is being delivered, and from ECF's experience of delivering similar town centre regeneration schemes, it expects to receive strong levels of interest for the ground floor uses prior to completion of Phase 1 works based on the design, new offering, new public areas and curation of the spaces.
- 6.23 Several complimentary third party inward investment proposals have emerged since the Council and ECF adopted the Scheme, which include a residential conversion development that secured planning permission in June 2022 and a hotel development that is the subject

of advanced pre-application discussions. In these examples, dialogue with the applicants has evidenced that the Scheme, and more particularly the First Phase Development, has been a catalyst for investor confidence.

- 6.24 There are, therefore, significant economic benefits, in an area characterised by multiple deprivation.

### **Environmental benefits**

- 6.25 The First Phase Development will deliver physical regeneration benefits through the provision of a new public square (Bickerstaffe Square) alongside transport and public realm improvements and new streets that will provide a more sustainable town centre. This will help the town centre to adapt to the impact of climate change in recognition of the Borough's declared climate emergency, aiming to minimise and mitigate carbon emissions at all stages in the process.
- 6.26 The First Phase Development will involve the re-use of previously developed land and brownfield land, thereby reducing some of the pressure to build on green fields and in the green belt. In particular, the provision of 61 initial new homes on brownfield land, which will act as a catalyst for further housing delivery and help meet the Council's housing land targets without the loss of green space.
- 6.27 As regards the wider Scheme, the above benefits will be enhanced and built upon as the later phases of the Scheme are delivered. The First Phase Development is a key "scene setter" for what will follow, particularly in terms of creating a new environment and new housing and office markets. The re-purposing of the retail offer in the town centre is also a key regeneration aim, with a significant contribution towards this coming in the First Phase Development.
- 6.28 The wider Scheme will deliver 0.9ha of publicly accessible open space in accordance with the Council's open space requirements, despite the urban and constrained nature of the site. This is a significant public benefit. It is anticipated that as part of the proposed Discovery Park, play space will be delivered that meets or exceeds the Council's standards.
- 6.29 Generally, the First Phase Development proposals, but also the other parts of the Scheme, will provide a much more attractive environment with high quality public realm that will improve the legibility of the town centre. The First Phase Development will create new pedestrianised streets, the new Bickerstaffe Square, and the new Discovery Park. There will be an increase in biodiversity through the provision of high-quality landscaping, and this will help create a place that is attractive to residents, visitors, and businesses. There will also be improved cycle connections to and through St Helens town centre.
- 6.30 The environmental benefits are also significant.

## **7. PLANNING FRAMEWORK FOR THE ORDER LAND**

### **Statutory Development Plan**

- 7.1 The statutory development plan for St Helens is currently comprised of the St Helens Borough Local Plan ("the Local Plan"), which was adopted on 12 July 2022, along with the Joint Merseyside and Halton Waste Local Plan 2013 and the Bold Forest Park Area Action Plan 2017.

### **St Helens Borough Local Plan Up To 2037**

- 7.2 After extensive evidence gathering and public consultation, the draft Local Plan was submitted to the Planning Inspectorate for Examination in October 2020. Following the Examination in Public, which included a series of public hearing sessions in May/June 2021, the appointed Planning Inspectors found the Local Plan to be "sound" in accordance with national policy, subject to a number of main modifications being made to it. A final, modified version of the St Helens Local Plan Up To 2037 was taken to Council and adopted in July 2022.
- 7.3 The Local Plan sets out the Spatial Vision for St Helens to 2037 and proposes to achieve through the balanced regeneration and sustainable growth of its built-up areas, a range of attractive, healthy, safe, inclusive, and accessible places in which to live, work, visit and invest.
- 7.4 The Spatial Vision expects that by 2037, the Borough will have:
- 7.4.1 delivered a range of high-quality new employment development, continued to provide affordable accommodation within established employment areas for a wide range of employers, and diversified and sustained the rural economy.
  - 7.4.2 the Town Centres of St Helens and Earlestown and the Borough's network of smaller centres adapted to changing economic conditions and providing a wide range of vibrant shopping, leisure and other uses.
  - 7.4.3 provided good quality new market and affordable housing, broadening the housing stock, meeting local needs, providing safe and sustainable communities. Effective use will have been made of the Borough's stock of brownfield sites to meet these needs.
  - 7.4.4 housing that is well connected to employment areas, local facilities, attractions and green spaces to encourage walking, cycling and use of public transport.
  - 7.4.5 improved health through the encouragement of active lifestyles.

- 7.4.6 its unique heritage, in relation to its historic role in the glass, rail, coal mining and other industries recognised and valued, and its network of green spaces and wider cultural and leisure offer retained and strengthened.
- 7.5 The Local Plan puts particular emphasis on the sustainable regeneration and growth of the Borough, with a focus on the “Key Settlements”, including the St Helens Core Area. LPA01 makes clear that the re-use of suitable previously developed land in Key Settlements will remain a key priority.
- 7.6 The Order Land is located in the St Helens Core Area and therefore within a Key Settlement in accordance with the Local Plan. The redevelopment of the Order Land will result in the re-use of suitable previously developed land, contribute to the sustainable growth of the Borough and help to deliver several local plan objectives.
- 7.7 The core planning policies are:
- 7.7.1 LPA01: Spatial Strategy
  - 7.7.2 LPA02: Development Principles
  - 7.7.3 LPA03: A Strong and Sustainable Economy
  - 7.7.4 LPA04: Meeting St Helens Borough’s Housing Needs
  - 7.7.5 LPA06: Transport and Travel
  - 7.7.6 LPA07: Infrastructure Delivery and Funding
  - 7.7.7 LPA08: Green Infrastructure
  - 7.7.8 LPA12: Health and Wellbeing
  - 7.7.9 LPB01: St. Helens Town Centre and Central Spatial Area
  - 7.7.10 LPC04: Retail and Town Centres
- 7.8 A summary of the key planning policies is found at **Appendix 1**.
- 7.9 In summary, the First Phase Development is consistent with, and strongly supported by, the aims and objectives of the Local Plan policies and endeavours to compliment the overarching aspirations of the Borough, particularly with reference to the sustainable growth and regeneration of the economy.

#### **Other planning considerations**

- 7.10 Other material planning considerations include:

- 7.10.1 National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)
- 7.10.2 St Helens Council Supplementary Planning Documents including (but not limited to) LOC007 Design and Crime SPD, LOC008 Design Guidance SPD, LOC009 Ensuring a Choice of Travel SPD, LOC013 List of Locally Important Buildings, LOC014 Local Economy, LOC015 New Residential Development and LOC017 Shopfronts
- 7.10.3 The emerging Liverpool City Region Spatial Development Strategy
- 7.10.4 St Helens Together: Our Borough Strategy 2021-2030
- 7.10.5 St Helens Town Centre Masterplan Development Framework
- 7.10.6 St Helens Borough Housing Strategy 2022-2027
- 7.10.7 Liverpool City Region Local Transport Plan
- 7.10.8 Third Local Transport Plan for Merseyside

## **8. LAND AND NEW RIGHTS TO BE ACQUIRED UNDER THE ORDER**

### **Land**

- 8.1 The Council is taking a proportionate approach to acquisition and only seeks to acquire the freehold title to the Order Land for the extent necessary to construct the First Phase Development.
- 8.2 The Order Land that the Council seeks to acquire is shown coloured pink on the Order map and details of the land interests to be acquired are set out in the Schedule to the Order. In summary, the Land includes:
  - 8.2.1 The current Hardshaw Shopping Centre and bus station and land bounded by:
    - Corporation Street to the North
    - Hall Street to the East
    - Church Square to the South, and
    - Broadly defined by Library Street to the West
- 8.3 The Order Land is occupied for a variety of uses. In addition to the existing Hardshaw Shopping Centre, the Order Land includes brownfield land, commercial and retailing premises, the bus station and highway land.



## **9. NEGOTIATIONS**

- 9.1 Following its acquisition of the Hardshaw Centre, the Council appointed Global Mutual to undertake negotiations with the view to securing vacant possession of the Centre and retail premises around it. Good progress has been made and agreements have been concluded with 4 of the current tenants, with a further 13 agreed in principle that are currently with solicitors.
- 9.2 In addition to the units in the Hardshaw Centre itself, Global Mutual have negotiated the acquisition of the former Marks & Spencer' premises and Keppie Massie are in discussions with the owner of part of the former Woolworths premises, which are adjacent to the Hardshaw Centre. Offers have been made to the owner of the former Woolworths premises, although these have been refused. Discussions are continuing with the agent appointed by the owner.
- 9.3 The appointed agents, Global Mutual, are continuing negotiations with the other 5 remaining tenants within the Hardshaw Centre and discussions are ongoing with all to seek suitable alternative accommodation within St Helens Town Centre.
- 9.4 The Council has appointed Messrs Keppie Massie to undertake negotiations with the remainder of the owners and occupiers of the land needed for the new improved and expanded bus station. Keppie Massie have made attempts to contact all owners and occupiers to commence discussions on the purchase of interests by agreement. Responses have been received from the owners of most interests and continued attempts will be made to contact those parties who have not yet responded. In relation to those parties who have responded discussions have been undertaken and in most instances property inspections undertaken. Offers have then been made accordingly. Terms have been agreed with one of the owners and negotiations continue with the remainder.

## **10. DELIVERY AND FUNDING**

### **Delivery**

- 10.1 The Council and ECF have entered into an Overarching Development Agreement ("**ODA**"), which governs the regeneration and redevelopment of a number of sites across St Helens by ECF over the next 20 years. One of the early key projects is the regeneration of St Helens town centre.
- 10.2 Under the ODA, the overall "objective" of the Parties is to secure a sustainable progressive implementation of high-quality development on a phased basis across the Borough (each phase being a different project or site) in accordance with agreed criteria and the aspirations of "Delivery Documents". The Delivery Documents comprise an Acquisition Strategy, a Delivery Strategy, a Development Framework Plan and a Planning Strategy – all of which are prepared by ECF and approved by the Council.

- 10.3 ECF and the Council have established a "Steering Group", which meets regularly and provides the forum for overall/strategic review of development proposals pursuant to the ODA. The parties have also established an "Executive Group", comprised of a Board Member of each Party, which has the role of resolving any issues the Steering Group cannot resolve, and keep under review the progress of the developments across the Borough.
- 10.4 The Parties, through these Groups, will carry out annual reviews of the performance of the ODA and the quality of the developments, and the Council will undertake an assessment of progress every five years. These assessments will be carried out against the Delivery Documents and key milestones.
- 10.5 In terms of the delivery of projects and developments under the ODA, a series of conditions must be satisfied for the development of a "phase" (i.e. a site or project) to proceed, including planning conditions; road closure conditions; land assembly and Title conditions; statutory consents conditions, and viability conditions. Generally, once the conditions are satisfied a lease will be granted to ECF by the Council to enable the particular development to proceed.
- 10.6 As regards the delivery of the First Phase Development, ECF will draw down the land for the residential element (including the retail and food and drink units at the ground floors of the apartments) and deliver it. In terms of the offices, hotel and new market hall, ownership of the land will be retained by the Council. ECF will also deliver the improved public realm and open spaces (with the exception of public realm around the bus station and rail station), which will then be adopted by the Council.
- 10.7 The ODA contains a novel mechanism under which funds created by more valuable developments are "locked in" to the joint venture and are used to help fund more challenging or unviable developments or projects. Accordingly, any "surpluses" arising from the developments are to be allocated into a "Development Trust Account" and will be "re-cycled" into the developments and applied to initiatives such as cross-subsidising development of non-viable developments or enhancing infrastructure or public realm. The use of the sums in the Development Trust Account will be considered and agreed between the Council and ECF on an on-going basis as circumstances dictate.
- 10.8 The ODA also contains the usual range of general development provisions, covering matters such as the development obligations on ECF when they undertake development; the procurement of contractors and ensuring value for money; and how development costs and sale proceeds are dealt with.
- 10.9 ECF is confident that there will be a market for the proposed town centre apartments and town houses<sup>2</sup>. There is demand from young professionals and young families for such town centre living but at present there is no supply. The First Phase Development will start to

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<sup>2</sup> St Helens Office Market Overview (CBRE 24.09.21). St Helens Residential Report (22.02.21).

create a new residential market in the town centre, which should be sustainable given the associated complementary uses and environmental improvements that will come forward as part of the Scheme. Further phases of the Scheme will then deliver further housing, with up to 513 residential units being provided pursuant to the planning permission.

- 10.10 The offices will be built on a speculative basis unless pre-lets are secured, as it is considered that it will be important to create a supply of flexible grade A office space in order to help stimulate demand in the town centre. The offices will be designed to accommodate a range of sizes, to ensure that differing forms of requirement can be satisfied. This will address the current issue of office requirements leaking out of St Helens town centre and out of St Helens generally to other locations where there is already such office supply<sup>3</sup>.
- 10.11 ECF and the Council are at an advanced stage of negotiations with a quality international brand hotel operator for a pre-let of the proposed 120+ bed hotel. As such, delivery of this element of the scheme will be secured.

### **Funding**

- 10.12 The Council will fund the First Phase Development, with the exception of the residential element, which ECF will fund exclusive of any viability gap identified.
- 10.13 The indicative construction of the First Phase Development is anticipated to be circa £64m subject to design development and market fluctuations. Acquisition costs are anticipated to be in the order of £15.28 million. The Council, at its Cabinet meeting in February 2022, allocated £76 million (raised through the Public Works Loan Board) for the First Phase Development regeneration of St Helens town centre in its Medium Term Financial Strategy (MTFS) 2022-2025 and its Revenue and Capital Budget for 2022/2023. The MTFS allocation is in a pipeline programme, which will be subject to a further gateway approval to formalise this into the capital programme budget for the project. The MTFS investment is further supported through a capital pipeline/programme of £7m and £0.8m secured from the One Public Estate Brownfield Land Release Fund 2.
- 10.14 Whilst the Council and ECF investments in the residential element effectively underwrite the delivery of the First Phase Development, the Council is seeking further funding support through the Towns Fund Investment programme. To this end, in January 2020 the St Helens Town Deal Board was set up to prepare a Business Case and Town Investment Plan to support a bid for funding. The board comprises the town's two MPs, locally elected members, and representatives from business, education and the community. The initial Town Deal bid was successful and a global award of £25 million was made by the Government. The Council has now submitted detailed business cases for each of the

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<sup>3</sup> Liverpool City Region & St Helens Office Market Overview 15<sup>th</sup> February 2021

projects identified in the Town Investment Plan in order to release £7.24 million, which is directly associated with the First Phase Development.

10.15 The Council has also applied for funding from the Levelling Up Fund Round 2, which nationally has set aside over £800 million up to 2024-2025. This fund was set up pursuant to the Levelling-up White Paper published in February 2022 and seeks bids from authorities for infrastructure projects that will have a visible impact on people and their communities. In particular, the fund is aimed at transport investments, regeneration and town centre investment, and cultural investment. The First Phase Development proposals fall squarely within the purposes of the fund. The Government expects all funding provided from the Fund to be spent by 31 March 2025 and by 31 March 2026 on an exceptional basis.

10.16 The £76 million Council allocation does exclude the cost of delivering the upgraded bus station. As set out in its Town Deal Business Case, the bus station development has a total cost of £10.7m and is to be met through the Towns Fund Connected Places project together with a bid to the Liverpool City Region Sustainable Transport Settlement (CRSTS). For CRSTS, it is envisaged that a business case will be submitted before the end of March 2023, based on a detailed design which has reached RIBA Stage 4. The bus station development is identified as a committed shortlisted project within the programme-level prospectus for both CRSTS and Towns Fund, both of which have been awarded government funding. It is envisaged that a design and build contract will be entered into for delivery of the bus station in quarter 3 of 2023, with a proposed start on site in the first quarter of 2024. Completion and handover of the new bus station to Merseytravel is then expected to take place in the first quarter of 2025.

## **11. RELATED ORDERS AND SPECIAL KINDS OF LAND**

11.1 There are no listed buildings or Scheduled Ancient Monuments within the First Phase Development, or within the Planning Permission for the Scheme.

11.2 It is anticipated that Stopping Up Orders will be required to enable development of the First Phase Development, in particular the redevelopment of the Bus Station, which will be promoted and secured in line with the construction programme for the Scheme.

## **12. HUMAN RIGHTS ACT**

12.1 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 and the European Convention on Human Rights ("the Convention"). 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.

12.2 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...". 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 earlier in this Statement of Reasons. 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. Indeed, the Order is overwhelmingly in the public interest.

- 12.3 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 will be notified, will have the right to make representations and/or objections to the Secretary of State, and objecting parties will have the right to be heard at a public inquiry. It has been held that the statutory processes are compliant with Article 6 of the Convention.
- 12.4 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. 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.
- 12.5 The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole". Both public and private interests are to be taken into account in the exercise of the Council's powers and duties. Similarly, any interference with Article 8 rights must be "necessary in a democratic society" i.e. proportionate.
- 12.6 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 and it undertook a full Community Impact Assessment on 16<sup>th</sup> September 2022. 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 First Phase Development (and then the wider Scheme) will bring.

- 12.7 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 very 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.
- 12.8 There has been extensive public consultation on the Scheme and First Phase Development proposals, and the opportunity has been given through the consideration of the planning application to make representations on the proposals. A public inquiry will be held into the Order if objections are duly made, and those whose interests are acquired under the Order, if it is confirmed, will be entitled to compensation as provided under national law.

### **Equality Act**

- 12.9 As a public body, the Council must have regard to the public sector equality duty set out in s149(1) of the Equality Act 2010. In promoting the Order, the Council has undertaken a Community Impact Assessment dated 16<sup>th</sup> September 2022 and the Council concludes the First Phase Development will not give rise to any impacts or differential impacts on persons who share a relevant protected characteristic as defined in the Equality Act, or upon persons who do not share such relevant protected characteristic. However, the Council's position will be continually monitored, and should any persons be identified, who may adversely be impacted by the First Phase Development, assistance measures will be put in place as necessary to mitigate as far as practicable any identified activity that may have an adverse impact on these individuals.
- 12.10 In fact, it is considered that the First Phase Development will result in positive impacts include driving economic growth and job creation, enhanced public realm, providing a more sustainable town centre.

### **13. EXTENT OF THE SCHEME**

- 13.1 Paragraph 196(v), Section 12, of the Government's CPO Guidance suggests that a statement should be included in every statement of reasons which explains the extent of the scheme to be disregarded for the purposes of assessing compensation in the 'no-scheme world'.
- 13.2 Section 6(A) of the Land Compensation Act 1961 ("LCA 1961") provides that "*the no scheme principle is to be applied when assessing the value of land in order to work out how much compensation should be paid by the acquiring authority for the compulsory acquisition of the land*". For the purposes of section 6(A), the "scheme" means the scheme of development underlying the acquisition.

13.3 Section 5 explains that the underlying scheme is to be the scheme provided for by the Order unless it is shown that the underlying scheme is a scheme larger than, but incorporating, the scheme provided for by that instrument.

13.4 In this case, the "Scheme" for the purposes of section 6(A) comprises the Scheme as shown in the St Helens Town Centre Masterplan Development Framework shown on **Plan 2**.

## **14. CONCLUSIONS**

14.1 By virtue of powers in Section 226(1)(a) of the Town and Country Planning Act 1990 the Council is authorised to compulsory purchase land to facilitate the carrying out of development, re-development or improvement on or in relation to the land.

14.2 Paragraph 12 of the CPO Guidance states that a compulsory purchase order should only be made where there is a compelling case in the public interest and explains that there are certain fundamental principles that a confirming minister should consider when deciding whether or not to confirm a compulsory purchase order. These fundamental principles are as follows:

**That the Council as acquiring authority has a clear idea of how it intends to use the land which it is proposing to acquire (paragraph 13 of the CPO Guidance)**

14.3 Section 5 of this Statement describes the First Phase Development and how the Order Land will be used following construction and completion of the development.

14.4 All of the land proposed to be acquired under the Order is required for the purpose of the First Phase Development and is reasonable and proportionate. Importantly, the Council has taken a proportionate approach to land acquisition, in line with policy and guidance, and does not propose to acquire any land or rights beyond those that are reasonably required.

**That the First Phase Development is unlikely to be blocked by any physical or legal impediments to implementation (paragraph 15 of the CPO Guidance)**

14.5 As explained in Section 5 of this Statement, Planning Permission has been granted for the Scheme, which includes the First Phase Development. There are not considered to be any physical or legal impediments to the implementation of the Project.

**That all the necessary resources are likely to be available within a reasonable timescale (paragraphs 13 and 14 of the CPO Guidance)**

14.6 Section 9 of this Statement explains that the Council has assessed the costs of implementing the First Phase Development, and the costs of acquiring the necessary land and is satisfied that the requisite funding is available to meet the construction and land acquisition/compulsory purchase compensation costs associated with the First Phase Development as and when required (including any advance payments and blight claims).

**That the purposes for which the Order is made justify interfering with the human rights of those with an interest in the land affected and particular consideration should be given to the provisions of Article 1 of the First Protocol to the Convention and, in the case of a dwelling Article 8 of the Convention (paragraph 12 of the CPO Guidance)**

- 14.7 The Order is being promoted in the public interest. The Council considers that the Order will strike the right balance between the public interest in the implementation of the First Phase Development and those private rights that will be affected by the Order.
- 14.8 As explained in Section 5 of this Statement, each plot of land described in the Order is required for the purpose of the First Phase Development.
- 14.9 Whilst owners and occupiers of the Order Land may be deprived of their property/interest in property if the Order is confirmed, this will be in accordance with the law and the Council has adopted a proportionate approach in seeking the acquisition of land.
- 14.10 Those whose interests are acquired under the Order will be entitled to compensation which will be payable in accordance with the Compulsory Purchase Compensation Code. The Compensation Code has been held to be compliance with Article 8 and Article 1 of the First Protocol to the Convention.
- 14.11 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. The interference with the private rights of those affected that would be the inevitable result of the exercise of the compulsory purchase powers conferred by the Order would be lawful justified and proportionate.

**That the Council has taken reasonable steps to acquire all of the land included in the Order by agreement (paragraph 2 of the CPO Guidance)**

- 14.12 The Council is committed to securing the necessary land required for the First Phase Development (and subsequent phases) by voluntary agreement if at all possible. The Council has made determined and persistent efforts to engage and negotiate with landowners.
- 14.13 In order to provide certainty that all the land required for the First Phase Development can be secured, it has been necessary for the Council to progress the Order in parallel with private treaty negotiations. This is envisaged by paragraph 2 of the CPO Guidance. The Council remains committed to continuing to progress negotiations and secure the necessary land by agreement.
- 14.14 Accordingly, the Council considers that the criteria in the CPO Guidance are satisfied and that there is a compelling case in the public interest for the confirmation of the Order.



## **15. DETAILS OF CONTACTS**

15.1 All those owners and occupiers affected by the Order who wish to speak to the Council's agents regarding the purchase of their interests are requested to contact:

- Global Mutual, 3<sup>rd</sup> Floor, 43-45 Dorset Street, London, W1U 7NA; or
- Keppie Massie, Alabama House, 6 Rumford Place, Liverpool, L3 9BY.

15.2 If any person affected by the Order wishes to discuss it with an officer of the Council, they are requested to contact:

Robert Gatensbury, Programme Lead, St Helens Borough Council, Atlas House, 2 Corporation St, St Helens WA9 1LD

Robertgatensbury@sthelens.gov.uk

## **16. INQUIRIES PROCEDURE RULES**

16.1 This is a non-statutory statement which is not intended to constitute the Council's Statement of Case under the 2007 Rules.

## **17. LIST OF DOCUMENTS**

17.1 In the event that it becomes necessary to hold a public inquiry into the Order, the Council may refer to the documents listed below. The list is not exhaustive, and the Council may also refer to additional documents in order to address any objections made to the Order:

- the Order, Order Schedule and Order Map;
- report to the committee and decision notice relating to planning permission ref: reference P/2022/0212/HYBR dated 27 September 2022;
- cabinet report and resolution of meeting dated 2 February 2022 relating to the "in principle" resolution to use compulsory purchase powers;
- cabinet report and resolution of meeting dated 9<sup>th</sup> November 2022 authorising the making of the Order;
- National Planning Policy Framework 2021; and
- St Helens Town Centre Masterplan Development Framework adopted by Cabinet in February 2022.

17.2 Copies of the Order, Order Schedule, Order Map and this Statement can be inspected at the following location:

17.2.1 Main Reception, St Helens Town Hall, Victoria Square, Bickerstaffe St, Saint Helens WA10 1HP. Telephone 01744 676 789. During the following hours; 9.00am to 5.00pm Monday to Friday.

17.3 Documents relating to the Order can be downloaded from the Council's website via the following link: [www.sthelens.gov.uk/CPO](http://www.sthelens.gov.uk/CPO)

**Plan 1**

**The Order Land (the "First Phase Development")**

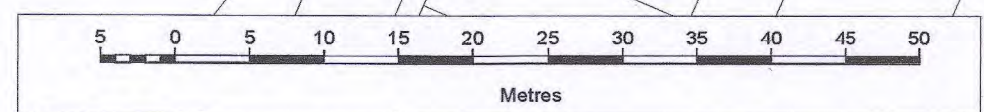
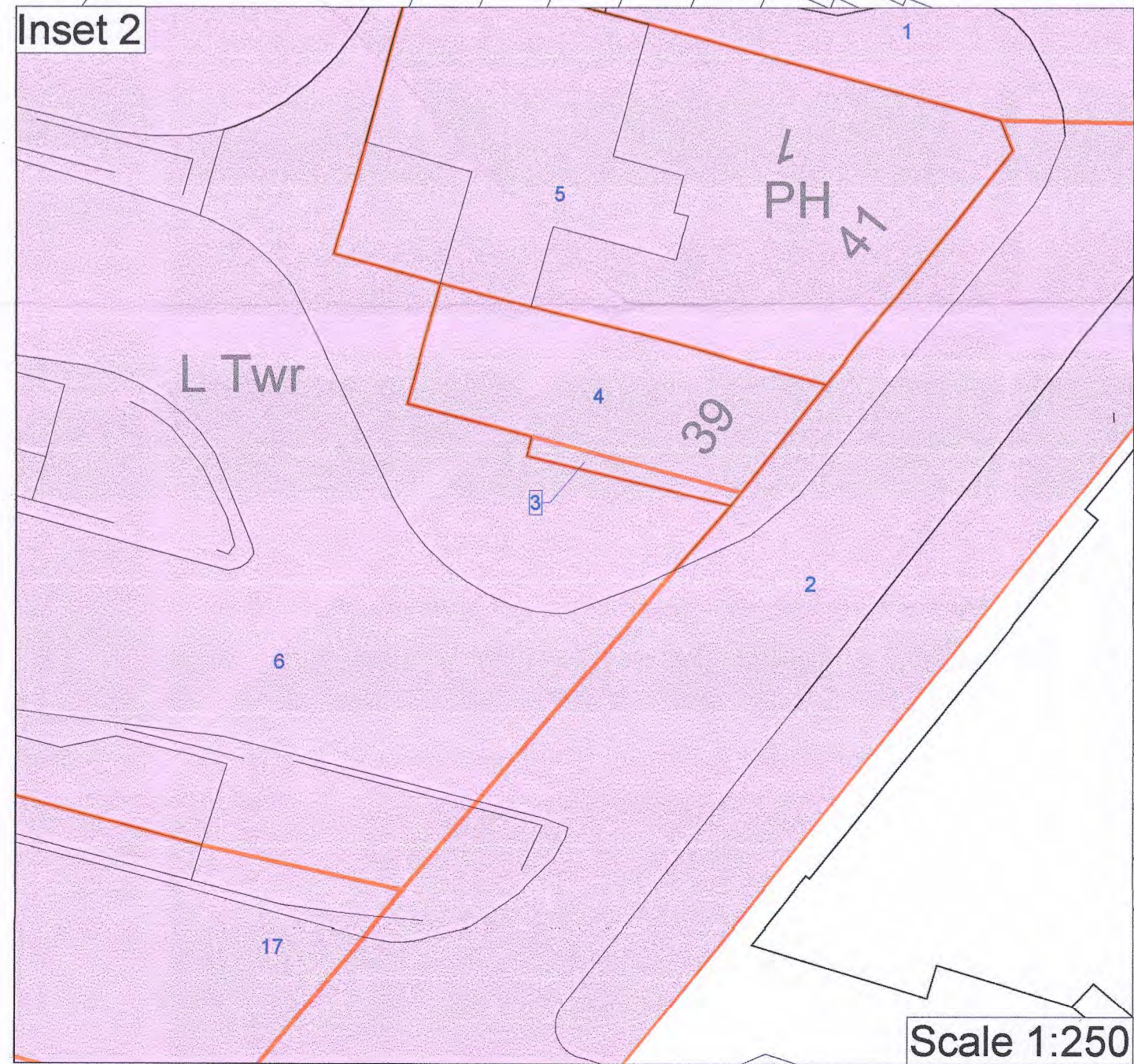
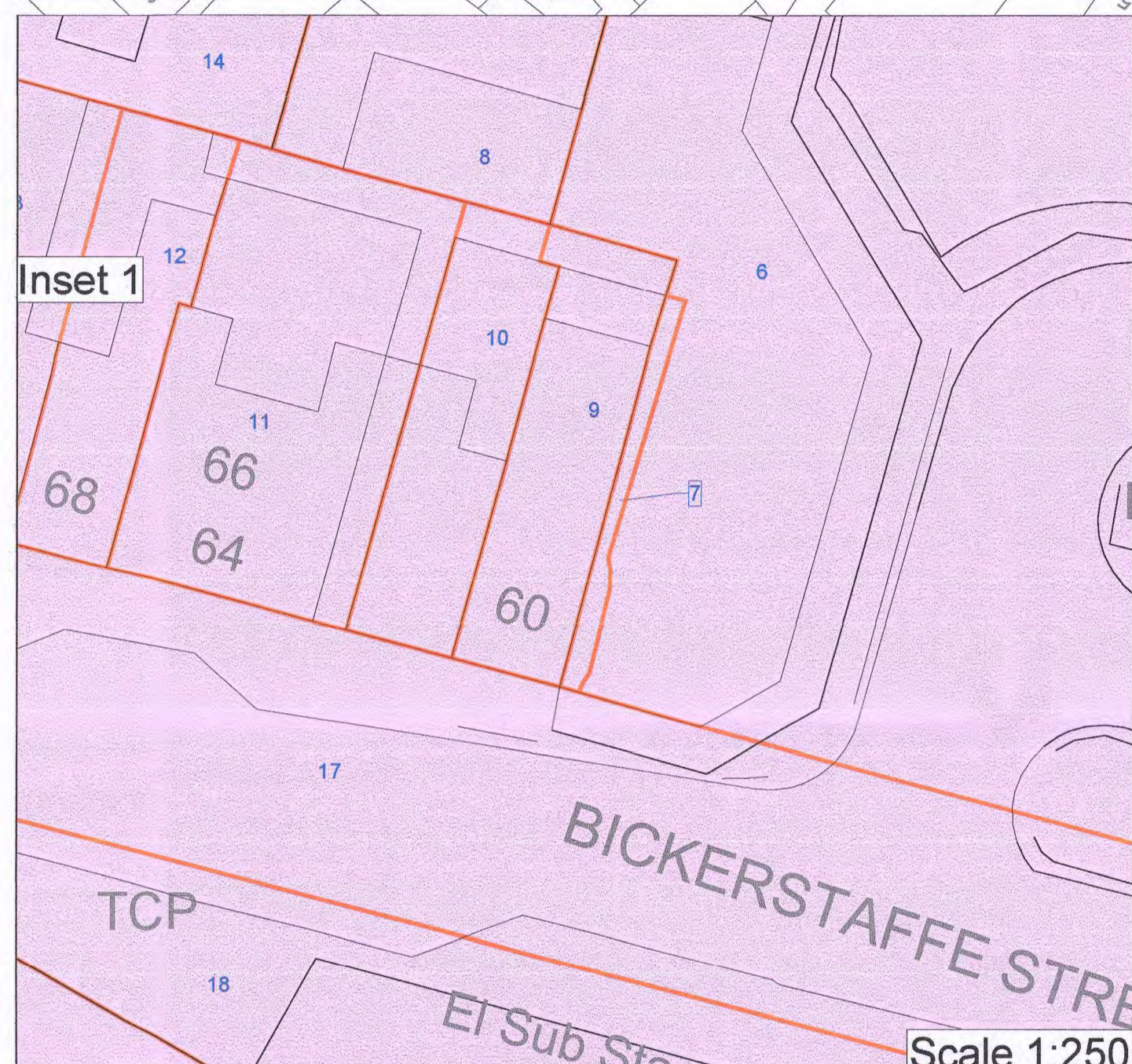
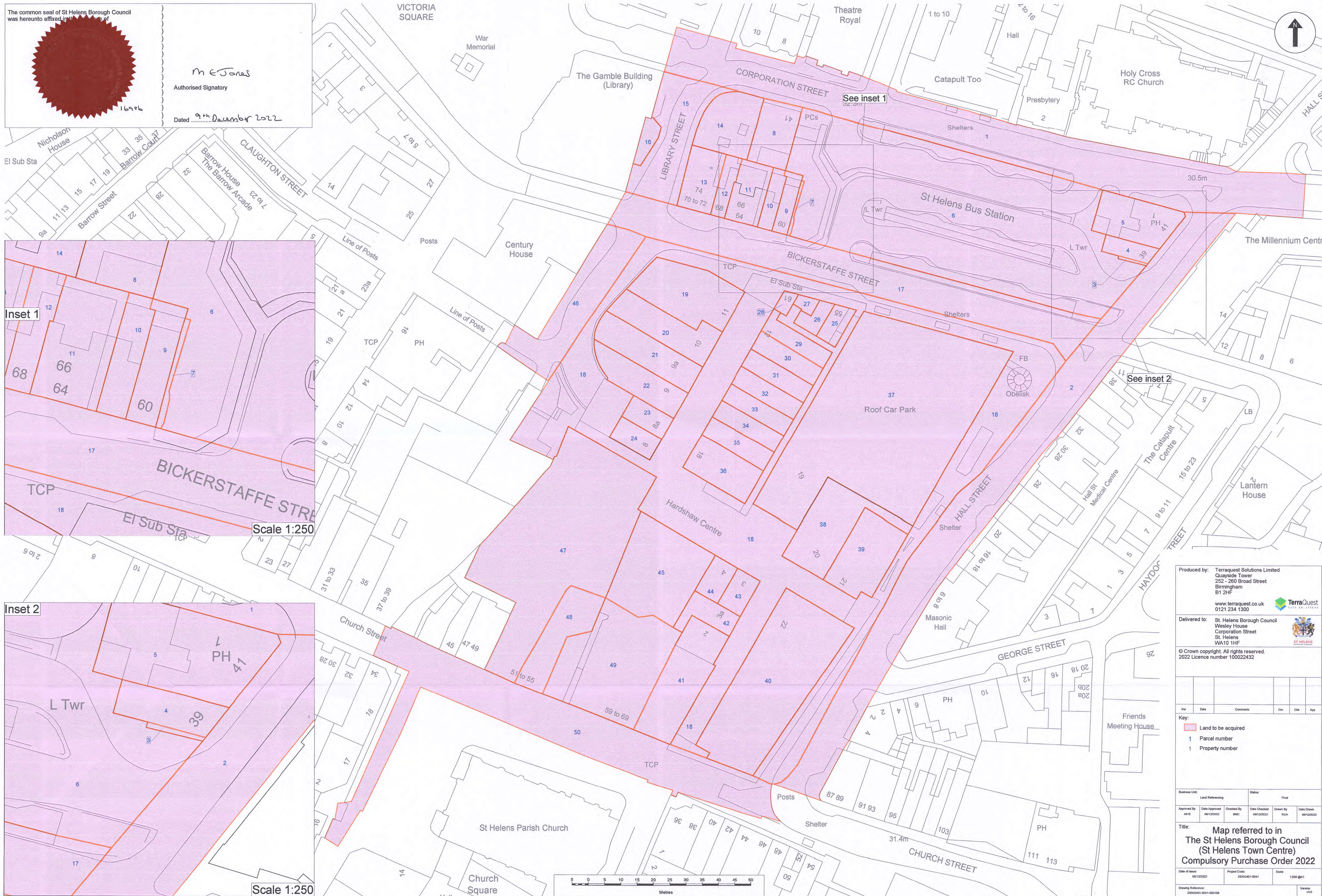
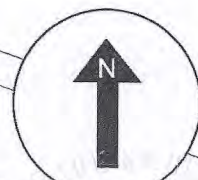
# Map referred to in The St Helens Borough Council (St Helens Town Centre) Compulsory Purchase Order 2022

The common seal of St Helens Borough Council was hereunto affixed in the presence of



M E Jones  
Authorised Signatory

Dated 9th December 2022



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WA10 1HF

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Ver	Date	Comments	Dim	Clk	App

Key:  
 Land to be acquired  
1 Parcel number  
1 Property number

Business Unit	Land Referencing	Status	Final
Approved By: MHE	Date Approved: 09/12/2022	Checked By: BMC	Date Checked: 09/12/2022
Drawn By: RCA	Date Drawn: 09/12/2022		

Title: Map referred to in  
The St Helens Borough Council  
(St Helens Town Centre)  
Compulsory Purchase Order 2022

Date of Issue	Project Code	Scale
09/12/2022	DEM0401-0041	1:500 @A1


















Drawing Reference: DEM0401-0041-001059

**Plan 2**

**Masterplan Development Framework Plan ("the Scheme")**

# PROPOSED TOWN CENTRE MASTERPLAN

## Key

-  Masterplan Focus
-  1 St Helens Town Hall
-  2 Victoria Square
-  3 The Gamble
-  4 Bus Station
-  5 Road Transport Museum
-  6 Rail Station
-  7 New Market Hall
-  8 Quaker Meeting House
-  9 St Helens College
-  10 Church Square Shopping Centre
-  11 St Helens Parish Church
-  12 New Canal Side Offering
-  13 The World of Glass
-  14 St Helens Chamber
-  15 Improved Link to Stadium & Glass Futures
-  16 Totally Wicked Stadium

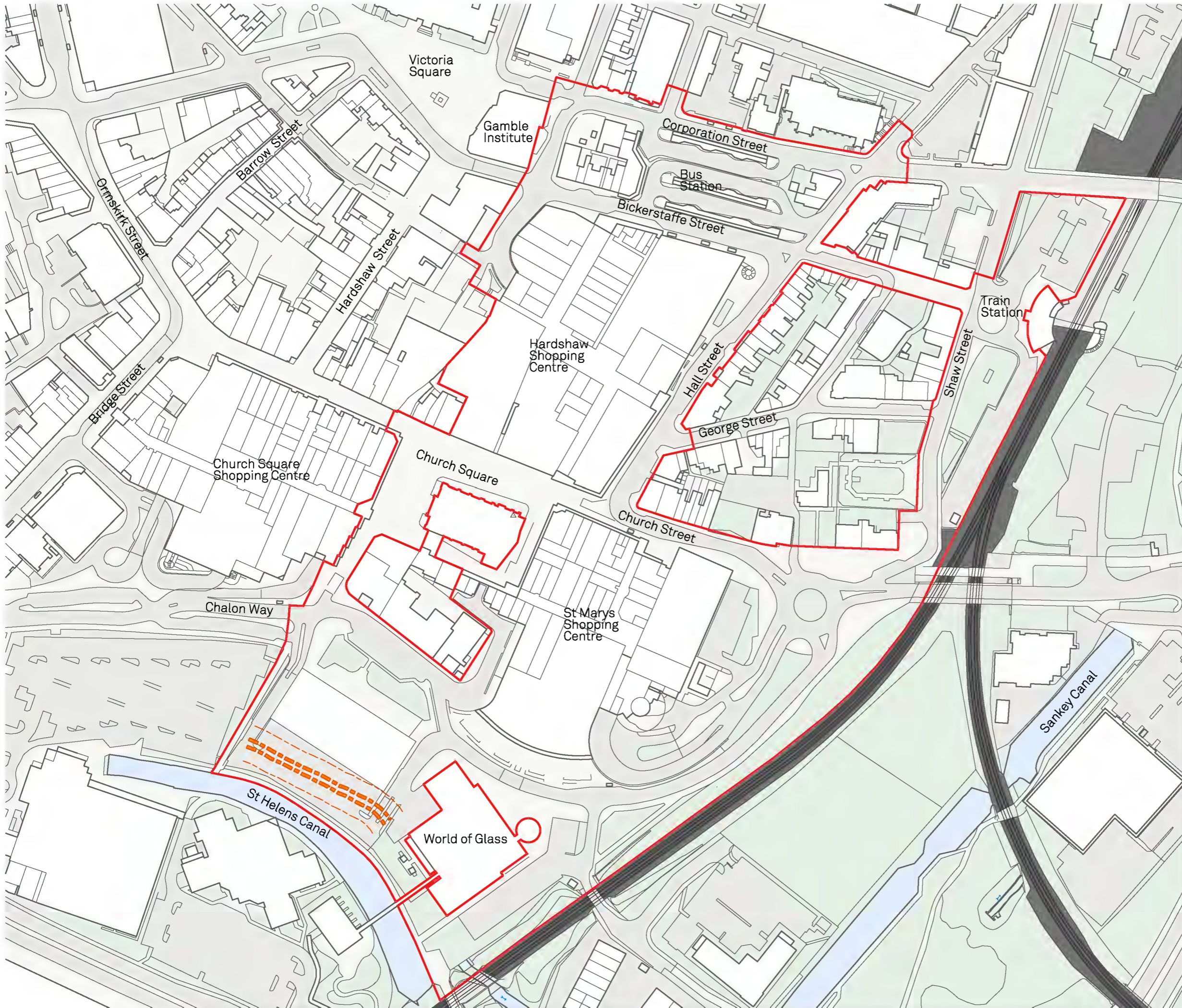
The town centre masterplan which accompanies this Masterplan Development Framework sets out a proposed spatial framework for the implementation of the town centre vision and strategic objectives outlined in the previous section.

The Masterplan has been developed around a number of zones or key character areas, opportunity sites, public realm and transport and movement considerations, as well as the consideration of specific urban design principles within each zone.



**Plan 3**

**The Planning Permission red line boundary**



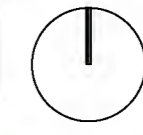
Copyright of this drawing is vested in Jon Matthews Architects and it must not be copied or reproduced without written consent. Figured dimensions only are to be taken from this drawing. Do not scale from this drawing.

All Contractors must visit the site and are responsible for taking and checking all dimensions relative to their work. Jon Matthews Architects are to be advised of any variation between drawings and site conditions.

Electronic data/ drawings issued as 'read only' and should not be interrogated for measurement. All dimensions and levels should be 'read only' from those values stated in text, on the drawings.

**CONSTRUCTION** - It is considered that the proposed works are within the scope of a competent Contractor and as such no unusual hazards have been identified, refer to relevant Key/ Schedule/ Designers Risk Assessment

Key Plan:



- Key**
- Planning Application Boundary
  - - - Culvert and 8m easment

Rev:	Date:	Details:
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**Jon Matthews Architects**  
 22 City Tower, Picadilly Plaza, New York St, Manchester, M1 4BT

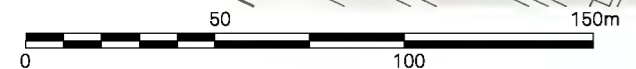
Project:  
 St Helens Masterplan

Title:  
 Existing Site Plan

Scale: 1:2000 @ A3	Origin Date: 01.07.2021	Drawn: SA	Checked: SA
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Status:  
 Information

Project: 139	Drawing No: MPS_04_1210	Rev: B
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**Plan 4**

**St Helens Town Centre Character Zones**

# AN INTRODUCTION TO THE PROPOSED CHARACTER ZONES

The town centre area has been divided into four broad character zones, which have been delineated based upon key characteristics. Each zone has an important role to play in the wider transformation of St Helens town centre, and collectively, they will support the delivery of the overarching vision.

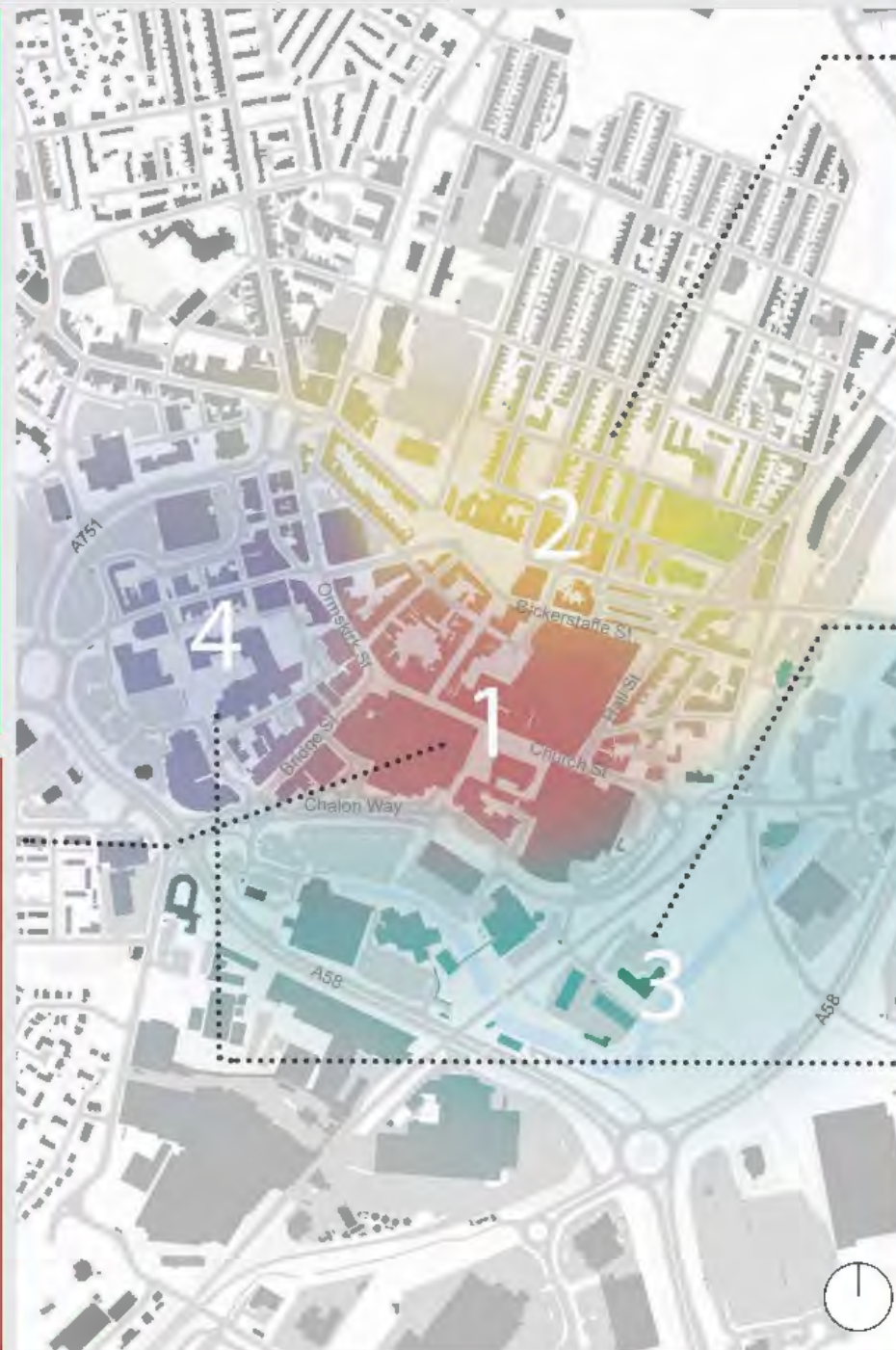
It is important to note that the zones do not represent phasing and delivery priorities. They have been identified based on the types of uses, scale and massing that will be considered in each area.

The zones are set out below, including a summary of the urban design principles and key components that have been considered in each area.

## CHARACTER ZONE 1 CENTRAL RETAIL

Encompassing the heart of the town, occupied by traditional high street uses and centred around the Grade II listed St Helens Parish Church, which is a key asset for St Helens and the focus of Church Square. There are opportunities to improve the built environment, landscaping and reduce the dominance of the insular shopping centres which reduce the permeability within the town centre.

The Central Retail zone is bounded by the existing bus station and Claughton Street to the north, St George's Quarter/Conservation Area to the east, Foundry Street/Chalon Way West to the south, and Bridge Street to the west.



## CHARACTER ZONE 2: CIVIC AND HERITAGE

Comprising the area between St Helens Central (rail station), existing bus station around Bickerstaffe Street, George Street Quarter Conservation Area, Victoria Square Conservation Area, and the parcel of land between College Street and Birchley Street. This zone includes many of the town centre's heritage assets.

Development coming forward in this location needs to be sensitive to the unique character of the Conservation Areas – to preserve and/or enhance the heritage assets through bringing forward appropriate and sensitively-considered development in terms of scale, massing and use of materials.

There is a real opportunity in this zone to enhance the quality of the Conservation Areas.

## CHARACTER ZONE 3: DISCOVERY

Presents an arc of opportunity for change and future transformation for the town centre. It includes the area in and around the Sankey (St Helens) Canal, important listed structures including the highly significant Tank House, which is both Grade II\* listed and a Scheduled Ancient Monument (SAM), being the best surviving example of a late 19th century glassmaking tank furnace building. These important buildings and structures represent the cultural heritage and glass legacy of the borough. The zone is bounded by the Linkway (A58) to the south and east.

## CHARACTER ZONE 4: EDUCATION AND ENTERTAINMENT

As its name suggests, this part of the town centre includes the St Helens College Campus and is bounded by Linkway West. This area is characterised by education uses, surface car parking, large, big box retailers, leisure uses and provides the focus for the evening economy from Bridge Street and Barrow Street to Westfield Street and extending to Duke Street.

**Appendix 1**  
**Planning Policy Extracts**

## Table of Contents

	Page
LPA01: Spatial Strategy	3
LPA02: Development Principles	5
LPA03: A Strong and Sustainable Economy	7
LPA04: Meeting St Helens Borough's Housing Needs	10
LPA06: Transport and Travel	11
LPA07: Infrastructure Delivery and Funding	13
LPA08: Green Infrastructure	15
LPA12: Health and Wellbeing	16
LPB01: St. Helens Town Centre and Central Spatial Area	17
LPC04: Retail and Town Centre	18

## LPA01: Spatial Strategy

1. The sustainable regeneration and growth of St Helens Borough through to 2037 and beyond will be focussed (as far as practicable, having regard to the availability of suitable sites) on the Key Settlements, namely St Helens Core Area, Blackbrook and Haydock, Newton-le-Willows and Earlestown, Rainford, Billinge, Garswood and Rainhill.
2. New development will be directed to sustainable locations that are appropriate to its scale and nature and that will enable movements between homes, jobs and key services and facilities to be made by sustainable non-car modes of transport.
3. The re-use of suitable previously developed land in Key Settlements will remain a key priority. A substantial proportion of new housing throughout the Plan period will be on such sites. This will be encouraged through the use of Policies LPA07 and LPC02 to support the delivery of sites, particularly those on Previously Developed Land, by, for example, setting lower thresholds for developer contributions on previously developed sites to reflect the higher costs and lower sales values typically associated with redeveloping such sites where appropriate.
4. 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.
5. This Plan releases land from the Green Belt to enable the needs for housing and employment development to be met in full over the Plan period up to 31 March 2037, in the most sustainable locations. Other land is removed from the Green Belt and safeguarded to allow for longer term housing and / or employment needs to be met after 31 March 2037. Such Safeguarded Land is not allocated for development in the Plan period and planning permission for permanent development should only be granted following an update of this Plan. Within the remaining areas of Green Belt (shown on the Policies Map) new development shall be regarded as inappropriate unless it falls within one of the exceptions set out in the National Planning Policy Framework (or any successor document). Inappropriate development in the Green Belt shall not be approved except in very special circumstances. Delivery of compensatory improvement measures within areas remaining in the Green Belt will be required following any release of Green Belt land for development purposes. Details of such improvements will be considered during the Development Management process and assessed on an individual application basis.
6. Substantial new employment development (set out in Policy LPA03 and excluding town centre uses) will take place on large sites that are capable of accommodating large employment buildings (over 9,000m<sup>2</sup>) and are close to the M6 and M62. High quality road, public transport and active travel links will be required between existing and proposed residential areas, particularly those with high deprivation levels, and areas of employment growth. Existing employment areas will be retained where they are suitable and viable for this use in order to maintain a diverse portfolio of accessible employment opportunities across the Borough. Suitable development that would diversify the rural economy will also be supported.
7. Parkside West and Parkside East form transformational employment opportunity sites that will make a major contribution to the economic development of St Helens Borough, the Liverpool City Region and beyond. Development that prejudices their development in accordance with Policies LPA03, LPA09 and LPA10 will not be allowed.

8. The preferred locations for new town centre development shall be within St Helens Town Centre (as the Borough's principal town centre), Earlestown Town Centre, and the Borough's network of district and local centres, in line with Policies LPB01, LPB02 and LPC04.
9. The quality of life, health and wellbeing of St Helens Borough's residents, workers and visitors and the quality of the natural environment will be supported by:
  - a) taking steps to maintain, enhance, connect and / or expand the Borough's network of ecological, open space and recreational sites and greenways in accordance with Policy LPA08;
  - b) seeking improvements to the quality of open space within and around new development;
  - c) requiring new development proposals to mitigate their contribution to climate change and to adapt to its impacts;
  - d) supporting the delivery of landscape reclamation and improvement projects in locations such as the Bold Forest Park and Sankey Valley Park; and
  - e) requiring development to support healthy lifestyles in accordance with Policy LPA12.
10. The provision of a convenient, safe, and sustainable transport network, and the delivery of improvements to the network, will be required in line with Policy LPA06.
11. New development that would deliver regeneration within the key settlements and accord with other Plan policies will be supported. Regeneration in these settlements will also be promoted by (in addition to the measures set out St Helens Borough Local Plan up to 2037 above) focussing available resources on its effective delivery and preventing development that would adversely impact upon or jeopardise the delivery of regeneration proposals.

## LPA02: Development Principles

New development in St Helens Borough will be required to support the following development principles where relevant:

1. Create sustainable communities with a strong sense of place.
2. Meet the challenges of population retention and growth by:
  - a) Providing for a mix of types and tenures of quality homes to meet the needs and aspirations of all existing and future residents in sustainable locations;
  - b) Maintaining, and where possible enhancing, accessibility to a good range of services and facilities; and
  - c) Providing and contributing to assessed infrastructure and service requirements where appropriate.
3. Improve the economic well-being of the Borough's residents by:
  - a) Contributing to the creation and retention of a range of employment and training opportunities that are readily accessible by non-car modes of transport to the Borough's residents, including local unemployed and disadvantaged people;
  - b) Contributing to the reduction of socio-economic inequality including health inequalities within St Helens Borough, and between the Borough and other parts of the UK; and
  - c) Contributing to and complementing the regeneration of the Borough.
4. Contribute to inclusive communities by seeking to address the requirements of:
  - a) An ageing population, particularly in terms of housing, health and wellbeing;
  - b) Children, young people and families;
  - c) People with special needs, including those with a disability; and
  - d) The specific identified needs of minority groups in the Borough, including Gypsies, Travellers and Travelling Showpeople.
5. Contribute to a high quality built and natural environment by:
  - a) Securing high quality design in all development and a high standard of amenity for all existing and future occupants of land and buildings;
  - b) Taking account of the Borough's landscape character and townscape, and the distinctive roles and settings of different areas of the Borough, in the location and design of new development;
  - c) Protecting, conserving, and / or enhancing the Borough's natural, built and historic environments;
  - d) Protecting and enhancing the quality of the Borough's natural resources including water, air, land, and biodiversity; and
  - e) Making effective use of land, buildings, and existing infrastructure (including through the remediation of contaminated land).
6. Minimise the need to travel and maximise the use of sustainable transport by:

- a) Guiding development to sustainable and accessible locations or locations that can be made sustainable and accessible;
  - b) Encouraging a shift towards more sustainable modes of transport for people, goods and freight and encouraging the use of lower carbon transport;
  - c) Encouraging safe and sustainable access for all, particularly by promoting the use of public transport, walking, and cycling between homes and employment; and
  - d) Supporting the provision and retention of shared space, community facilities and other local services (such as local shops, health facilities, education provision, meeting places, sports venues, cultural buildings, public houses, and places of worship).
7. Promote healthy communities by improving access and opportunities for formal and informal recreation (including through the use of green infrastructure), improving cycling and walking routes, and minimising air, soil, and water pollution.
8. Lower St Helens Borough's carbon footprint and adapt to the effects of climate change by:
- a) Contributing to reductions in carbon emissions from all sources;
  - b) Meeting appropriate standards for sustainability and energy efficiency and promoting the use of renewable energy and sustainable construction;
  - c) Assessing and addressing the impact of climate change through mitigation and / or adaption measures;
  - d) Using water, energy, minerals and waste resources in an efficient and effective way;
  - e) Ensuring that all new development addresses the need to mitigate and, where appropriate, adapt to flood risk; and
  - f) Making best use of existing building materials (including historic features and materials) in order to reduce waste and lower energy consumption.



### LPA03: A Strong and Sustainable Economy

1. The Council will work with partner organisations to:
  - a) help meet the Liverpool City Region's needs for economic growth, job creation and skills development;
  - b) maximise the economic opportunities presented by St Helens Borough's location in relation to strategic road and rail routes;
  - c) ensure the necessary infrastructure is provided to support business needs (see Policy LPA07);
  - d) support the creation of and expansion of small businesses; and
  - e) support businesses and organisations in the economic recovery and renewal from the COVID-19 pandemic.
2. The Council will aim to deliver a minimum of 173.24 hectares of land for employment development between 1 April 2021 and 31 March 2037 to meet the needs of St Helens Borough.
3. The sites as shown in Table 4.1 and on the Policies Map are allocated for development for the employment uses indicated.
4. Proposals to develop or re-develop any of the above allocated sites for uses not listed in Table 4.1 will be refused, unless it has been demonstrated that:
  - a) the site is no longer both suitable and viable for an employment use identified in Table 4.1; and
  - b) the site has been offered for employment use on the open market at a reasonable price in a manner and for a period agreed with the Council; and
  - c) the results of the marketing exercise have been transparently shared with the Council; and
  - d) no employment use can be delivered as part of a mixed-use scheme on the site.
5. Other sites and buildings that are currently or were last used for employment use (or for sui generis use generating employment), including those in the employment areas listed in appendix 5, will be protected from changes to other uses, unless justified. Changes of use of such sites and buildings will be justified and permitted where it is demonstrated either that:
  - a) the land or building (or any part of it) is no longer suitable and economically viable for light industrial, offices and research and development, B2 or B8 uses in accordance with the Local Economy Supplementary Planning Document; or
  - b) the land use planning benefits of the proposed development would outweigh the benefits of retaining the site or building in its existing use (including vacant buildings and sites).
6. Proposals for the re-use, re-configuration, or re-development for light industrial, offices and research and development, B2 or B8 uses of land or buildings used for light industrial, offices and research and development, B2 or B8 uses (including where such proposals would lead to a more intensive use of the land or buildings) will be supported, subject to compliance with other policies in the Plan.

7. Proposals for Class E uses in locations outside a defined centre will be subject to a condition to prohibit town centre uses (as defined in the glossary of the NPPF) unless the requirements of Policy LPC04 are satisfied.
8. The Council will support proposals to help diversify the rural economy, including through the re-use of suitable buildings in rural areas for appropriate employment uses, subject to other policies in the Plan.
9. The Council will support the protection, creation, enhancement and expansion of tourism, cultural and visitor resources, facilities, and attractions by favourably considering proposals that are appropriate to the local character and appearance of the area and that will:
  - i) increase the range and quality of the accommodation offer in the Borough:
  - or
  - ii) enhance an existing tourist or visitor attraction; or
  - iii) attract investment to the Borough and create or safeguard jobs; or
  - iv) enable the economic or physical regeneration of a site or area; or
  - v) improve the quality and diversity of the Borough's visitor offer; or
  - vi) help to maintain existing natural, historical, or cultural assets.
10. The Council will prevent the unjustified loss of existing tourism, cultural and visitor resources and assets.
11. The Council will support the use of local suppliers of goods and services and the creation of apprenticeships and training opportunities for local people in accordance with the requirements of the Local Economy Supplementary Planning Document.

Table 4.1: Allocations for Employment Development

Policies Map Site Reference Number <sup>15</sup>	Site Name	Indicative Site Area (hectares)	Appropriate Use(s) <sup>16</sup>
1EA	Omega South Western Extension, Land north of Finches Plantation, Bold (to meet employment land needs arising in Warrington)	31.22	B2, B8
4EA	Land South of Penny Lane, Haydock	2.16	B2, B8
5EA	Land to the West of Haydock Industrial Estate, Haydock	7.75	B2, B8
6EA	Land west of Millfield Lane, south of Liverpool Road and north of Clipsley Brook, Haydock	20.58	B2, B8
7EA	Parkside East, Newton-le-Willows	64.55 <sup>17</sup>	See Policy LPA09
8EA	Parkside West, Newton-le-Willows	79.57 <sup>18</sup>	See Policy LPA10
9EA	Land to the West of Sandwash Close, Rainford	7.70	Light industrial, offices and research and development uses, B2, B8
<b>TOTAL</b>		<b>213.53</b>	

#### LPA04: Meeting St Helens Borough's Housing Needs

1. In the period from 1 April 2016 to 31 March 2037 a minimum of 10,206 net additional dwellings should be provided in the Borough of St Helens, at an average of at least 486 dwellings per annum.
2. The housing requirement will be met from the following sources:
  - a) Completions;
  - b) Sites with planning permission;
  - c) Housing allocations shown on the Policies Map and listed in Table 4.5;
  - d) Sites without planning permission identified in the Strategic Housing Land Availability Assessment (SHLAA); and
  - e) 'Windfall' development, including development on small sites not individually identified in the SHLAA, sub-division of dwellings and conversions / changes of use.
3. New development should optimise the amount of housing developed on a site. New development should therefore aim to achieve the following minimum densities:
  - a) at least 40 dwellings per hectare (dph) on sites that are within or adjacent to St Helens or Earlestown Town Centres; and
  - b) at least 30 dph on all sites outside St Helens and Earlestown town centres.

Densities of less than 30 dph will only be appropriate where they are necessary to achieve a clear planning objective.
4. The delivery of new housing development will be monitored annually to ensure that:
  - a) an adequate supply of new housing is provided at all times in accordance with the Housing Delivery Test set out in national policy; and
  - b) there is a deliverable supply of housing that is sufficient to provide at least 5 years' worth of new housing development against the housing requirement. The 5-year land supply to be maintained shall include any buffer that is required under national policy. If annual monitoring demonstrates the deliverable housing land supply falls significantly below the required level, taking into account the requirements in relation to housing delivery set out in national policy, a partial or full plan update will be considered to bring forward additional sites.

## LPA06: Transport and Travel

1. 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. To achieve these priorities, it will seek to:
  - a) Secure the delivery of new or improved road, rail, walking, cycling, and / or bus infrastructure where required;
  - b) Ensure that new development is sufficiently accessible by road transport, walking, cycling and public transport;
  - c) Secure improvements to existing motorway capacity and infrastructure with particular priority being given to the M6 Junction 23 and M62 Junction 7;
  - d) Improve the accessibility to jobs, homes and services by all modes of transport and protect opportunities to achieve such improvements;
  - e) Secure the delivery of:
    - i) a new rail station at Carr Mill;
    - ii) any necessary improvements to local stations and rail lines;
    - iii) the proposed Skelmersdale Rail Link; and
    - iv) any infrastructure required to deliver HS2 or HS3 (Northern Powerhouse Rail);... and
  - f) Protect former railway lines and corridors from development that could hinder their future re-use for sustainable modes of transport.
2. All proposals for new development that would generate significant amounts of transport movement must be supported by a Transport Assessment or Transport Statement, the scope of which must be agreed by the Council.
3. New development will only be permitted if it would:
  - a) maintain the safe and efficient flow of traffic on the surrounding highway network. Development proposals will not be permitted where vehicle movements would cause severe harm to the highway network;
  - b) be located and designed to enable a suitable level of access (having regard to the scale and nature of the proposal) to existing and / or proposed public transport services;
  - c) provide appropriate provision of charging points for electric vehicles;
  - d) enable good levels of accessibility by walking and cycling between homes, jobs and services;
  - e) provide for safe and convenient pedestrian, cycle and vehicular access and movement to, from and within the development;
  - f) include adequate access arrangements for emergency, service and refuse collection vehicles; and

g) provide sufficient on-site parking for persons of limited mobility, service vehicles, and cycles that must at least meet the Council's minimum standards, and adequate parking for all other vehicles.

4. To minimise air and noise pollution and carbon emissions, non-residential forms of development that would generate a significant amount of transport movement by employees or visitors must be supported by suitably formulated Travel Plans. Conditions and/or legal agreements will be used to ensure that Travel Plans submitted in such cases are fully implemented and monitored.
5. Development that would generate significant movement of freight must be located where there is a safe, convenient, and environmentally acceptable access route to a suitable part of the Key Route Network. The part of the Network that is marked as 'Key Route Network – non freight' on the Policies Map shall not be regarded as suitable in this context. Access into a new development (of any land use) directly from the Key Route Network will only be allowed if this would not unduly restrict the capacity of the road or cause harm to highway safety, and where no more suitable alternative exists or would be provided by the development.
6. Direct access from new development on to the Strategic Road Network will only be permitted as a last resort, where agreed by National Highways and where the necessary levels of transport accessibility and safety could not be more suitably provided by other means.
7. Where rail facilities are available or would be made so as part of a development generating significant movement of freight, this will be regarded as a benefit.
8. Development proposals must not prevent or jeopardise the implementation of planned transport schemes unless it has been demonstrated to the satisfaction of the Council that:
  - a) the transport scheme is no longer required;
  - b) there is a feasible and viable alternative to it; or
  - c) the benefits of the proposed development would outweigh those of the planned transport scheme.

Planned transport schemes include but are not limited to proposals for new or upgraded footpath, cycle path, bridleway, road, rail, bus and / or other public transport facilities that would be on the same site as, adjacent to or be otherwise affected by the development.

9. Further details of the operation of this Policy, for example those related to the Council's vehicle and cycle parking standards, standards for vehicle charging point provision, and to the requirements concerning transport assessments, transport statements and travel plans will be set out in a future review of the Council's Ensuring a Choice of Travel Supplementary Planning Document.

## LPA07: Infrastructure Delivery and Funding

### Protection, improvement and provision

1. The Council will seek to ensure satisfactory provision of all forms of infrastructure that are required to serve the needs of the local community by:
  - a) Protecting existing infrastructure from being lost where there is an identified need for it;
  - b) Supporting the improvement of existing infrastructure where there is an identified need for such improvement;
  - c) Safeguarding land for planned new or improved infrastructure where there is an identified need for it;
  - d) Seeking developer contributions in accordance with paragraphs 2 to 7 of this Policy; and
  - e) Requiring new community facilities and other social infrastructure to be located where they would be accessible by a choice of sustainable modes of transport and, where possible, clustered with other such facilities.

### Developer Contributions

2. Subject to compliance with relevant legislation and national policy, 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 proposal. This may include direct provision of on-site or off-site infrastructure and / or financial contributions that will be secured by:
  - a) Section 106 planning obligations (or other legally binding agreements);and / or
  - b) A tariff based system such as the Community Infrastructure Levy.
3. Where the suitability of development depends upon the provision of additional or improved infrastructure or service capacity, that development should be phased to coincide with the provision of such infrastructure or capacity.
4. In applying this Policy, regard will be had to relevant evidence including the latest version of the St Helens Infrastructure Delivery Plan.

### Economic Viability

5. When assessing planning proposals, the Council and other decision makers will pay due regard to any impact that developer contributions towards infrastructure provision or other policy requirements may have on the economic viability of new development. In this context, consideration will be given to economic viability evidence including any site specific development appraisal that may have been submitted to determine the ability of the development scheme to support the required level of contributions. In light of the viability evidence, where a developer can demonstrate that meeting all policy requirements would not be viable, a pragmatic approach will be taken to s106 contributions on sites within zone 1.

### Hierarchy of Developer Contributions

6. Decision makers will, as a general rule, apply the following hierarchy for developer contributions in cases where viability constraints can be demonstrated (with i) being the highest priority):
  - i) contributions that are essential for public safety (for example essential highway works or flood risk mitigation) or to achieve a minimum acceptable level of design quality;
  - ii) contributions that are necessary to provide affordable housing or to address a local infrastructure requirement or deficiency that would be caused or exacerbated by the development, depending on site surroundings and the level of existing infrastructure, for example education needs or green space provision in areas of deficit; and
  - iii) contributions that would not fall into categories i) or ii) as set out above.
7. Decisions on planning applications may deviate from the above hierarchy where a specific need to do so has been identified. The Council will provide further guidance in a future Developer Contributions Supplementary Planning Document and in the Infrastructure Delivery Plan (including any future updates to this).



## LPA08: Green Infrastructure

1. Green Infrastructure in St Helens Borough comprises a network of multifunctional natural assets, including green space, trees, woodlands, mosslands, grasslands and wetlands, located within urban, semi-urban and rural areas. This network is capable of delivering a wide range of environmental and quality of life benefits for local communities and forms an important element of the Liverpool City Region (LCR) Ecological Network.
2. The Council will work with other organisations where necessary to:
  - a) expand tree cover in appropriate locations across the Borough to improve landscape character, water and air quality and the value of trees to wildlife;
  - b) strengthen and expand the network of wildlife sites, corridors and stepping stone habitats to secure a net gain in biodiversity;
  - c) improve and increase the connectivity of the Greenway network;
  - d) increase the accessibility of open space within walking distance of housing, health, employment and education establishments to promote healthy lifestyles;
  - e) reduce the risk of flooding, improve river water quality and riverine and riparian habitats within the Sankey Catchment; and
  - f) ensure that development proposals on strategic employment and housing sites incorporate holistic Green Infrastructure Plans.
3. Developers will be required to provide long-term management arrangements for new and existing green infrastructure within development sites.
4. Development that would contribute to or provide opportunities to enhance the function of existing green infrastructure and its connectivity from residential areas, town, district and local centres, employment areas and other open spaces, will be encouraged. Development that would result in the loss, fragmentation or isolation of green infrastructure assets will be refused. The only exceptions to this will be where it has been demonstrated that:
  - a) appropriate protection or retention of Green Infrastructure assets cannot be achieved in the pursuit of wider planning objectives;
  - b) the development would bring benefits that would override the resultant harm; and
  - c) there are no realistic alternatives to the proposed development that would avoid such harm.

In such cases, mitigation, for example, in the form of incorporating the identified Green Infrastructure assets into the scheme design and layout through a masterplanning process to maintain the key Green Infrastructure assets and connections, and / or as a last resort compensatory provision will be required.

## LPA12: Health and Wellbeing

The Council will work with its health and wellbeing partners to promote public health principles, maximise opportunities for people to lead healthy and active lifestyles, and reduce health inequalities for residents within the Borough. Through the planning system, the Council will seek to:

1. encourage improved access to a choice of homes and jobs that meet the needs of the area;
2. ensure the provision of easy-to-maintain, safe and attractive public areas and green spaces to serve new development that minimise the opportunity for and fear of crime and anti-social behaviour and that promote social cohesion and mental wellbeing;
3. encourage people to be physically active by providing opportunities for walking, cycling, outdoor recreation and sport including, where appropriate, the provision of opportunities for physical activity within the design of new development;
4. guide the location of food and drink uses such as hot food takeaways, drinking establishments, restaurants, cafes and other uses that may have negative health impacts having regard to their impact on other land uses in the local area;
5. maximise the levels of accessibility between homes, educational establishments, jobs, public transport services, health and other services, recreational opportunities and community, cultural and leisure facilities;
6. encourage measures to achieve affordable warmth;
7. promote Active Design principles as established by Sport England; and
8. manage air quality and pollution.

### LPB01: St. Helens Town Centre and Central Spatial Area

1. The Council will promote the Central Spatial Area as an accessible and welcoming destination for new development that accords with paragraphs 2 to 9 of this Policy and that would help create a high quality built environment. Development that would support the delivery and implementation of the Council-led strategy for the future regeneration and development of St Helens Town Centre will be supported.
2. 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.
3. Proposals for retail and leisure development will be directed to suitable locations within the Town Centre and then other sequentially preferable sites in line with Policy LPC04 and national policy. A town centre 'area of opportunity' for future retail, leisure and cultural development is shown indicatively on the Policies Map. Development that would result in significant harm to the Town Centre's vitality and viability or prejudice planned investment within it will be resisted.
4. Proposals for 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.
5. New development proposals will be required, where appropriate having regard to their location, nature, and scale, to facilitate linked trips between the Primary Shopping Area and other existing and proposed developments within the St Helens Central Spatial Area, including Asda on Kirkland Street; The Range on Chalon Way; St Helens and Ravenhead Retail Parks; Linkway West; Tesco Extra on Linkway; and St Helens RLFC Stadium.
6. Regular health checks will be undertaken to monitor the vitality and viability of St Helens Town Centre.
7. Proposals for housing or a mix of housing and other suitable use(s) 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.
8. New development in the vicinity of St Helens Canal will be required to, as appropriate, improve the public realm by retaining and enhancing the existing waterway, positively integrating with the canal, and securing improvements to Green Infrastructure in line with Policy LPA08.
9. Pedestrian and vehicular accessibility within and around the Town Centre will be managed in line with the road-user hierarchy set out in the Liverpool City Region: Transport Plan for Growth in order to:
  - a) maintain pedestrian priority within the Town Centre and extend pedestrian links to adjacent areas;
  - b) make suitable provision for cyclists;
  - c) support the Town Centre as the hub of the public transport network in St Helens Borough; and
  - d) make appropriate provision for cars and service vehicles.

#### Policy LPC04: Retail and Town Centres

1. Proposals for retail, leisure and other main town centre uses will be directed towards the Borough's defined centres as listed below and as shown on the Policies Map:
  - a) Principal Town Centre: St Helens
  - b) Town Centre: Earlestown
  - c) District Centres: Rainhill and Thatto Heath
  - d) Local Centres: Billinge; Chain Lane; Clipsley Lane; Denton's Green; Eccleston; Fingerpost; Marshall's Cross; Newton-le-Willows; Newtown; Rainford; and Sutton.
2. The development of main town centre uses within the defined centres will be supported. Proposals for other uses in such locations will be considered having regard to the scale and nature of the proposal and the role and function of the centre. Planning permission will be granted for development that is appropriate in terms of its scale and nature relative to the role and function of each centre.
3. Proposals for main town centre uses will be subject to a sequential approach to development in line with national policy. This will require development for such uses to be located as a first preference in suitable locations within town, district, or local centres and then (as a second preference) in edge-of-centre locations. Only if suitable sites in such locations are not available should out-of-centre sites be considered. The Primary Shopping Area (PSA) shall be the preferred location for proposed retail development in St Helens and Earlestown, with edge-of-centre in the context of such proposals being defined as locations that are well connected to and up to 300m from the PSA.
4. When considering proposals in out-of-centre locations, preference will be given to accessible sites that are well connected to a defined centre as listed in paragraph 1 of this Policy.
5. The sequential approach will not apply to applications for small scale rural offices or other small scale rural development.
6. All proposals for retail development that would not be located within a defined centre must be accompanied by an assessment of their likely impact on existing centre(s) if they would be above the floorspace threshold for the area in which they would be located as set out below:

Location of proposal	Floorspace threshold (gross)
Within 800m of the boundary of Earlestown Primary Shopping Area or of a District Centre	300m <sup>2</sup>
Within 800m of the boundary of a Local Centre	200m <sup>2</sup>
All other cases	500m <sup>2</sup>

7. All proposals for leisure uses that would fall outside of a defined centre must be accompanied by an assessment of their likely impact on existing centre(s) if they would be above the size threshold for the area in which they would be located as set out below:

Location of proposal	Floorspace threshold (gross)
Within 800m of the boundary of Earlestown Town Centre or of a District Centre	300m <sup>2</sup>
Within 800m of the boundary of a Local Centre	200m <sup>2</sup>
All other cases	500m <sup>2</sup>

8. Where more than one impact threshold applies, the lower impact threshold will take precedence.
9. Impact assessment thresholds will apply to applications for new floorspace, changes of use and variations of condition to remove or amend restrictions on how units may operate.