

PART TWO

4. GENERAL PRINCIPLES AND URBAN REGENERATION

PART ONE POLICY

POLICY URN1 - DEVELOPMENT AND URBAN REGENERATION

IN CONSIDERING DEVELOPMENT PROPOSALS, THE LOCAL PLANNING AUTHORITY WILL BE GUIDED BY THE GENERAL PRINCIPLES OF THE URBAN REGENERATION STRATEGY. IN PARTICULAR, THE LOCAL PLANNING AUTHORITY WILL BE CONCERNED TO ENSURE THAT:

- (i) FULL AND EFFECTIVE USE IS MADE OF LAND WITHIN THE URBAN AREAS;**
- (ii) NEGLECTED, UNUSED OR DERELICT LAND OR BUILDINGS ARE BROUGHT INTO USE;**
- (iii) THE NEED FOR NEW SERVICES IS MINIMISED BY PROMOTING THE USE OF SPARE CAPACITY IN EXISTING SERVICES;**

WHILST:

- (iv) THE FOLLOWING TYPES OF LAND OR BUILDINGS ARE PROTECTED FROM INAPPROPRIATE DEVELOPMENT:**
 - SITES IN THE APPROVED GREEN BELT;**
 - THE BEST AND MOST VERSATILE AGRICULTURAL LAND AND VIABLE FARM HOLDINGS;**
 - AREAS OF SPECIAL LANDSCAPE VALUE;**
 - SITES OF ECOLOGICAL OR NATURE CONSERVATION IMPORTANCE;**
 - SITES IDENTIFIED AS URBAN GREENSPACE OR GREENSPACE FEATURES WITHIN OTHER SITES;**
 - SITES CURRENTLY REQUIRED FOR RECREATIONAL PURPOSES**
 - LISTED BUILDINGS;**
 - OTHER BUILDINGS OR FEATURES OF ARCHITECTURAL OR HISTORIC INTEREST; AND**
 - CONSERVATION AREAS.**

POLICY URN1 - REASONED JUSTIFICATION

- 4.1 The Urban Regeneration Strategy is a corporate approach and provides the framework for the UDP. Its broad aim is to seek to achieve a significant relative improvement in the physical, economic and social conditions experienced by those Wirral residents who are disadvantaged, whilst seeking to maintain, and if possible, improve conditions for the rest of the Borough's population.
- 4.2 An essential part of the corporate approach is to address the land-use implications of the Urban Regeneration Strategy. The UDP expresses this land-use context in terms of the general principles of the Strategy: a dual approach which seeks to:

- encourage investment and development into the urban areas of the Borough, and particularly those suffering the worst conditions;
 - operate policies of development constraint in non-urban areas whilst maintaining the quality of the environment and heritage of the Borough.
- 4.3 Policy URN1 sets out the broad considerations at the heart of the Urban Regeneration Strategy, which will be material considerations for the Local Planning Authority in assessing development proposals.
- 4.4 The overall strategy of the UDP is reflected in Policy URN1, in that it seeks to maximise the use of urban land, whilst protecting the urban environment, and to prevent the encroachment of the urban area into the countryside, with the added protection of Wirral's environment and heritage.
- 4.5 Policy URN1, therefore, offers guidance on the types of areas within which development will support the UDP strategy. By following this guidance, the further aims of achieving sustainable development and reduction in energy usage through reduced transport needs can also be achieved.
- 4.6 Policy URN1, and this reasoned justification should be read in conjunction with Section 2 of the UDP.

PART ONE POLICY

POLICY URN2 - PLANNING AGREEMENTS FOR URBAN REGENERATION

IN APPROPRIATE CIRCUMSTANCES, THE LOCAL PLANNING AUTHORITY WILL SEEK TO NEGOTIATE PLANNING OBLIGATIONS THROUGH AGREEMENTS WITH DEVELOPERS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, WHERE SUCH AGREEMENTS MAY ASSIST IN SECURING THE BEST USE OF LAND, DESIRABLE COMMUNITY BENEFITS AND A PLANNED, SUSTAINABLE ENVIRONMENT.

POLICY URN2 - REASONED JUSTIFICATION

- 4.7 The UDP provides the best opportunity to make clear the Local Planning Authority's policy on seeking planning benefits. Previously, such negotiations have taken place on an ad-hoc basis, but the presumption in favour of development in accordance with the development plan under Section 54A of the Town and Country Planning Act 1990 requires a more specific approach.
- 4.8 The UDP cannot, however, be prescriptive and the Local Planning Authority cannot require such agreements. Policy URN2, therefore, is designed to be both selective and pragmatic, in that the Local Planning Authority will seek to negotiate such agreements in appropriate circumstances.

- 4.9 Planning agreements between developers and the Local Planning Authority may be used in addition to conditions on a planning permission for matters which would be inappropriate as conditions, in accordance with national planning guidance. The agreements must be necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the development and reasonable in all other respects. Agreements cannot be used to make a proposed development acceptable which would otherwise be unacceptable on planning grounds.

