

**POLICY TL1 - THE PROTECTION OF URBAN TOURIST RESOURCES  
POLICY TL2 - CRITERIA FOR URBAN TOURISM  
PROPOSAL TL3 - LAND FOR TOURISM ON THE WIRRAL WATERFRONT  
TL3/1 - Land at Twelve Quays and Associated Dockland**

**OBJECTIONS:** 006/5 Mersey Docks and Harbour Company 070/59, 070/60 GO-M

**Summary of Objections**

10.1 The word 'normally' should be deleted from Policies TL1 and TL2 (070/59, 070/60). The Site of Proposal TL3/1 should not be allocated as such, as it is part of the operational land of the Port Estate and will not be available for inclusion within the Twelve Quays development proposals (006/5).

**Assessment and Conclusions**

10.2 Published changes to Policies TL1 and TL2 omit 'normally'<sup>1</sup>. The site affected by the Twelve Quays allocation is subject to a dual allocation, under Proposal TL3/1 and Proposal EM3/1<sup>2</sup>. I discuss an Objection to the latter allocation (006/2), elsewhere in this report<sup>3</sup>. The issues relating to Objections 006/2 and 006/5 are in the main identical. I therefore reach the same conclusions and make a similar recommendation in respect of Objection 006/5 as I do for Objection 006/2.

**Inspector's Recommendation**

10.3 I recommend that the UDP be modified:

(a) by the amendment of Policies TL1 and TL2 in accordance with ALT/TOURISM/003 and 004 and

(b) by the adjustment on the Proposals Map of the boundary between Site TL3/1 and the area shown as Dockland to the north, to reflect the operational requirements of Alfred Dock as identified in further discussions between the Council, the Merseyside Development Corporation and the Mersey Docks and Harbour Company.

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<sup>1</sup> ALT/TOURISM/003 (CD056, page 116) and ALT/TOURISM/004 (CD056, page 117).

<sup>2</sup> Proposal EM3 - Land for General Employment Use.

<sup>3</sup> See pages 70-71 of this report.

**PROPOSAL TL4 - LAND FOR TOURISM DEVELOPMENT AT NEW BRIGHTON**  
**TL4/1 - Site of the Former Open Air Swimming Pool and the Marine Lake, Marine Promenade, New Brighton**

**OBJECTION:** 088/1 Wallasey Civic Society

**Summary of Objection**

10.4 The Objection site needs to be developed in a less grandiose manner than as suggested by the Council. A more low key and less expensive development would be more suitable to the area and in keeping with its surroundings. The same principles should apply to the development of the Objection site as do to the Derby Pool site under Proposal TL8<sup>1</sup>.

**Assessment and Conclusions**

10.5 The Objector accepts that redevelopment of the Objection site could support the regeneration of New Brighton as a coastal resort. Although there is a strong residential character about the town, in my view the site stands as an individual development opportunity which deserves a building of some stature and of good design and proportions. Of course, a building which because of its height, design and proportions appeared overdominant or clumsy in appearance would not serve to enhance this prominent setting near the waterfront. However the insertion into Proposal TL4 of a definitive height restriction on the development would in my view unnecessarily impede the process of designing a building which was worthy of its setting. There is unlike the Derby Pool no special feature of the landform close to the Objection site which would justify the imposition of an express height restriction.

10.6 The redevelopment of the Objection site would be required to be considered against the relevant criteria in Policies TL1 and TL2, including the protection of the special character of New Brighton as a coastal resort and ensuring that the development was appropriate to its surroundings in its siting, scale and external appearance<sup>2</sup>. I regard these safeguards as sufficient to ensure that due consideration is given to the merits of any new building on the Objection site. I do not therefore consider that any change needs to be made to Proposal TL4.

**Inspector's Recommendation**

10.7 I recommend that no modification be made to the UDP in response to Objection 088/1.

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<sup>1</sup> Proposal TL8 - Land at the Former Derby Pool, New Brighton.

<sup>2</sup> Policy TL1 - The Protection of Urban Tourist Resources (as proposed to be amended by ALT/TOURISM/003 (CD056, page 116)); Policy TL2 - Criteria for Urban Tourism (as proposed to be amended by ALT/TOURISM/004 (CD056, page 117)).

*Part II: Policy TL6 and supporting text -  
The Control of Tourism in Port Sunlight  
Policy TL7 - Criteria for Hotels and Guest Houses  
Proposal TL8 - Land at the Former Derby Pool, New Brighton*

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**POLICY TL6 - THE CONTROL OF TOURISM IN PORT SUNLIGHT**

**Written Statement Paragraph 10.27**

**POLICY TL7 - CRITERIA FOR HOTELS AND GUEST HOUSES**

**PROPOSAL TL8 - LAND AT THE FORMER DERBY POOL, NEW BRIGHTON**

**OBJECTIONS:** 068/2 UML Ltd 070-61 GO-M 080/10 Cheshire Wildlife Trust  
127/12 Wirral Wildlife

**Summary of Objections**

10.8 Paragraph 10.27 should refer to 'UML Limited' (068/2). The word 'normally' should be deleted from Policy TL7 (070/61). Proposal TL8 should take full account of the proximity of the adjoining Sites of Special Scientific Interest (SSSI) and Biological Interest (SBI)<sup>1</sup>, and any proposal which would harm conservation interests should not be permitted (080/10). The site of proposal TL8 which is very visible should not be developed due to its very prominent location, but should retained as a car park to serve the Wirral Coastal Park and Wallasey Beach (127/12).

**Assessment and Conclusions**

10.9 Published changes to Paragraph 10.27 and to Policy TL7<sup>2</sup> make the amendments requested in Objections 068/2 and 070/61. A further change would amend the supporting text to Proposal TL8 by the addition of Paragraph 10.32a referring to the protection of the nature conservation interests<sup>3</sup>. The protection offered by Policies NC3 and NC5<sup>4</sup> are in my view adequate to safeguard such interests in relation to the development proposed in Proposal TL8.

10.10 On the principle of the development envisaged in Proposal TL8, I am not after inspecting the site and its surroundings convinced that the site is so sensitively located that no building should be erected there; the degree of care with which any development should be considered on the site is implicit in its identification as an individual proposal with its own development criteria, which in my view enable adequate consideration to be given to any proposal for the site.

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<sup>1</sup> It is assumed that the reference here is to NC4/3 (North Wirral Foreshore) and NC6/59 (Wallasey Golf Course and Leasowe Gun Site SBI).

<sup>2</sup> ALT/TOURISM/005 (CD056, page 118) and ALT/TOURISM/006 (CD056, page 119).

<sup>3</sup> ALT/TOURISM/007 (CD056, page 120).

<sup>4</sup> Policy NC3 - The Protection of Sites of National Importance for Nature Conservation; Policy NC5 - The Protection of Sites of Local Importance for Nature Conservation.

*Part II: Policy TL6 and supporting text -  
The Control of Tourism in Port Sunlight  
Policy TL7 - Criteria for Hotels and Guest Houses  
Proposal TL8 - Land at the Former Derby Pool, New Brighton*

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**Inspector's Recommendation**

10.11 I recommend that the UDP be modified:

(a) by the amendment of Paragraph 10.27 in accordance with ALT/TOURISM/005;

(b) by the amendment of Policy TL7 in accordance with ALT/TOURISM/006;

(c) by the amendment and extension of the Reasoned Justification for Proposal TL8 in accordance with ALT/TOURISM/007;

but that no modification be made in response to Objection 127/12.

**POLICY TL10 - CRITERIA FOR TOURISM DEVELOPMENT IN THE GREEN BELT  
POLICY TL11 - DEVELOPMENT AT COUNTRYSIDE RECREATION SITES  
TL11/3 North Wirral Coastal Park**

**OBJECTIONS:** 005/4 Wallasey Golf Club 070/62, 070/63 GO-M  
127/13 Wirral Wildlife 215/38 Wirral Green Belt Council

**Summary of Objections**

10.12 The word 'normally' should be deleted from Policies TL10 and TL11 (070/62, 070/63). Part of the Wirral Golf Club course falls within countryside recreation site TL11/13, and should be excluded (005/4). Policy TL10 should more explicitly refer to the effects of tourism development on nature conservation interests (127/13). Policy TL11 should define the natural attributes and potential of each countryside recreation site listed (215/38).

**Assessment and Conclusions**

10.13 Published changes to Policies TL10 and TL11 omit 'normally'<sup>1</sup>. The proposed amendment to Policy TL10 also includes a brief but adequate reference to wildlife in Criterion (v). It is also proposed to amend the Proposals Map to adjust the boundary of the Wirral Golf Club course in the manner requested in Objection 005/4<sup>2</sup>.

10.14 Individual policies have been drawn up in the UDP for each of the Borough's conservation areas<sup>3</sup>. I accept that a similar approach could be taken in respect of the countryside recreation areas listed under Policy TL11, provided that this did not lead to an over-prescriptive means of control. However, it seems to me that such an approach is not essential to the effective control of development in the areas mentioned. Policy TL11 makes reference to the criteria in Policy TL10, which appear to be wide-ranging and comprehensive, especially in their proposed amended form. I therefore make no recommendation that Policy TL11 should be expanded in the manner suggested in Objection 215/38.

**Inspector's Recommendation**

10.15 I recommend that the UDP be modified by the amendment of Policies TL10 and TL11 in accordance with ALT/TOURISM/008 and 009 and the adjustment of the Proposals Map in accordance with ALT/TOURISM/011, but that no modification be made in response to Objection 215/38.

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<sup>1</sup> ALT/TOURISM/008 (CD056, page 121) and ALT/TOURISM/009 (CD056, page 122).

<sup>2</sup> ALT/TOURISM/011 (CD056, page 124 and map following).

<sup>3</sup> Policies CH4 to CH23.

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## **POLICY TL14 - PROTECTING AND EXTENDING PUBLIC RIGHTS OF WAY**

### **Written Statement Paragraph 10.46**

#### **Written Statement and Proposals Map Omissions**

**OBJECTIONS:** 034/1 Friends of Eastham Country Park  
042/1 Wirral Footpaths and Open Spaces Society 070/64 GO-M  
215/39, 215/40 Wirral Green Belt Council  
220/1, 220/3 Birkenhead History Society

#### **Summary of Objections**

10.16 The word 'normally' should be deleted from Policy TL14 (070/64). All defined public footpaths should be shown on the UDP Proposals Map (034/1). Mention should be made in the Policy of the maintenance of public rights of way, as occurred in the Consultation Draft version of the UDP (042/1, 215/39). Additional criteria should be added to the Policy to clarify the means of implementing its objectives (215/40). The Policy does not adequately identify walkways and cycle routes to give access to Urban Greenspace. In particular it fails to identify a riverside route between Woodside and Seacombe, a route clearly specified the Merseyside Development Corporation's policy for that area (220/1, 220/3).

#### **Assessment and Conclusions**

10.17 A published change to Policy TL14 omits 'normally'<sup>1</sup>. The UDP emphasises the importance of the rights of way network<sup>2</sup>. However, I accept the Council's view that no further reference need be made in the UDP to the issue of the maintenance of public rights of way, as it is not clearly a land use matter and is not the statutory responsibility of the Council as Local Planning Authority<sup>3</sup>. In my view the Policy makes it clear how in a development context the extension or improvement of the network or public rights of way will be sought, namely through legal agreements or planning conditions. Any more explicit policy basis for such a task would I believe be difficult to formulate and unnecessary in any event.

10.18 It is not a purpose of the UDP Proposals Map to act as a Definitive Map for public rights of way. The only purpose of indicating existing rights of way on the Map would be to assist those examining the Map in understanding the UDP's proposals otherwise represented. No such circumstances have been suggested in Objection 34/1. The protection of statutory rights of way is not a function of the Plan. The Council refer to existing features of the Proposals

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<sup>1</sup> ALT/TOURISM/014 (CD056, page 127).

<sup>2</sup> Written Statement, paragraph 10.45.

<sup>3</sup> See paragraph 15-18 and 26-29 of Circular 2/93 *Public Rights of Way*. PPG12 *Development Plans and Regional Planning Guidance* advises at paragraph 5.6 that development plans should not contain policies for non land use matters.

Map which generally identify urban routes and special cycle routes under the notation shown under Proposals GR2 and TR10<sup>4</sup>. I do not therefore consider that any change need be made to the Proposals Map more extensively to represent public rights of way.

10.19 So far as a riverside route between Woodside and Seacombe is concerned, the Council refer to recent development proposals in this area and to representations from two major landowners, which suggest that the route envisaged in Objection 220/1 may now be impracticable<sup>5</sup>. Whilst Policies CO1 and CO3<sup>6</sup> actively encourage public access to the coast, no firm line for the subject route has been agreed, and there remains uncertainty about whether it can be implemented in the manner earlier envisaged. In these circumstances it would in my view be inappropriate to refer to such a route in the Plan or illustrate it on the Proposals Map.

#### Inspector's Recommendation

10.20 I recommend that the UDP be modified by the amendment of Policy TL14 in accordance with ALT/TOURISM/014, but that no modification be made in response to Objections 034/1, 042/1, 215/39, 215/40, 220/1 and 220/3.

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<sup>4</sup> Proposal GR2 - The Protection of Greenspace within the Urban Area; Proposal TR10 - Cycle Routes.

<sup>5</sup> See Objections OB006/3 and OB084/16.

<sup>6</sup> Policy CO1 - Development within the Developed Coastal Zone; Policy CO3 - Tourism and Leisure in the Coastal Zone.