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## POLICY LA1 - PROTECTION FOR AREAS OF SPECIAL LANDSCAPE VALUE

OBJECTION: 070/100 GO-M 129/5 British Telecommunications plc

COUNTER-OBJECTION: 129/C British Telecommunications plc

### Summary of Objections

14.1 The word 'normally' should be deleted from Policy LA1 (070/100). The Policy does not reflect the balance that Government advice specifies is needed between the economic, social and environmental benefits of telecommunications development, the need to protect areas of environmental quality and the problems faced by telecommunications operators. It does not anticipate circumstances where the need for telecommunications development in particular locations outweighs the need to protect the environment. The Policy should be amended by deletion of Criterion (i) or the deletion of reference to telecommunications and an amendment to Policy TE1<sup>1</sup> along the lines adopted in Policy 71 of the Lancashire Structure Plan (draft provided) (129/5). Policy LA1 as proposed to be amended<sup>2</sup> should be amended by the insertion of 'subject to technical and operational considerations' after the last sentence (129/C).

### Assessment and Conclusions

14.2 The first proposed amendment to Policy LA1 omits 'normally'. The amended Policy is a partial acceptance by the Council of Objection 129/5. There is an adjustment of the Reasoned Justification at Paragraph 14.9<sup>3</sup>. Further supporting text (Paragraph 14.9A) was published after submission of Counter-objection 129/C<sup>4</sup>. Whilst not the amendment sought by the Objector, it acknowledges that sometimes to provide a telecommunications service it might be necessary to site equipment in Areas of Special Landscape Value. Then the main objective would be to minimise the environmental impact. In my view this interpretative paragraph brings application of Policy LA1 closer to guidance in PPG8 *Telecommunications*<sup>5</sup>, and makes the Policy acceptable.

### Inspector's Recommendation

14.3 I recommend that the UDP be modified by the amendment of Policy LA1 and the amendment and extension of its Reasoned Justification in accordance with ALT/LANDSCAPE/003 and 004 and ALT2/LANDSCAPE/001.

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<sup>1</sup> Policy TE1 - Criteria for Telecommunications Apparatus.

<sup>2</sup> ALT/LANDSCAPE/003 (CD056, page 184).

<sup>3</sup> ALT/LANDSCAPE/004 (CD056, page 185).

<sup>4</sup> ALT2/LANDSCAPE/001 (CD057, page 27).

<sup>5</sup> PPG8, paragraphs 25 and 26.

Part II: *Proposal LA2 and supporting text - Areas of Special Landscape Value*  
*LA2/2 Dee Coast ASLV*  
*Heswall Dales/Cleaver Hospital Site*  
*Land to the east of Telegraph Road, Heswall*  
*LA2/4 Thornton Hough ASLV*  
*Land between Brimstage and Storeton*

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## **PROPOSAL LA2 - AREAS OF SPECIAL LANDSCAPE VALUE**

Written Statement Paragraph 14.10

LA2/2 Dee Coast ASLV

Heswall Dales/Cleaver Hospital Site

Land to the east of Telegraph Road, Heswall

LA2/4 Thornton Hough ASLV

Land between Brimstage and Storeton

OBJECTION: 042/4 Wirral Footpath and Open Space Society  
215/15 to 215/17, 215/27 Wirral Green Belt Council

### **Summary of Objections**

- 14.4 The approach to Areas of Special Landscape Value (ASLVs) set out in Paragraph 14.10 of the Reasoned Justification is wrong. ASLVs should also include areas of scenic value in a wider, more general and Borough-wide context, rather than the Heritage Landscape approach of the Merseyside Structure Plan (215/17).
- 14.5 Heswall Dales and the former Cleaver Hospital site should be designated an ASLV (042/4, 215/16).
- 14.6 Land to the east of Telegraph Road, Heswall between Heswall, Thurstaston and Irby should be designated as an ASLV. It was included as Heritage Landscape in the Structure Plan. The open fields on a gently rising contour are the foreground to distant views of the Dee Estuary, Caldly Hill and the sea (215/27).
- 14.7 The Thornton Hough ASLV should be extended across Storeton to Prenton and westwards to Barnston. The contours give fine and extensive views over the Mid-Wirral countryside towards the Welsh Hills, and are distinctive in this area (215/5).

### **Assessment and Conclusions**

14.8 The Council bases the ASLVs in the UDP on the 'Heritage Landscape' of the Merseyside Structure Plan<sup>1</sup>. This has resulted in the identification of a relatively small number of areas of distinctive scenic value. To widen the basis for designation too much could in my view not only devalue the case for special protection which the identified landscapes deserve, but it would also go against recent ministerial counsels not to engage in a proliferation of

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<sup>1</sup> As defined in the Merseyside Structure Plan Written Statement (CD049), page 89, paragraph 10.69.

*Part II: Proposal LA2 and supporting text - Areas of Special Landscape Value  
LA2/2 Dee Coast ASLV  
Heswall Dales/Cleaver Hospital Site  
Land to the east of Telegraph Road, Heswall  
LA2/4 Thornton Hough ASLV  
Land between Brimstage and Storeton*

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landscape designations<sup>2</sup>. I do not therefore consider that the reference in Paragraph 14.10 of the reasoned Justification for Proposal LA2 to the ASLV designation to be used sparingly is out of place. This is however, a general point set apart from the consideration which follows of Objections relating to specific areas of the Borough, on their merits.

14.9 The Council acknowledge that Heswall Dales and land around the former Cleaver Hospital, Heswall does merit designation as an ASLV and I note that this land formed part of the Dee Coastline Heritage Landscape designated in the Structure Plan<sup>3</sup>. The land clearly forms part of the distinctive character of the coastal landscape in this area. Changes to Proposal LA2/2 and the Proposals Map involving an extension to the Dee Coast ASLV have been published accordingly<sup>4</sup>.

14.10 The Structure Plan Key Diagram could be interpreted as showing the Dee Coast Heritage Landscape as extending east of Telegraph Road, between Heswall, Thurstaston and Irby. However, I accept the Council's submission that not too much significance should be attached to this strategic document for the purposes of determining in the UDP the boundary of the Dee Coast ASLV. I note that the area in question falls within the Green Belt and includes land around the Pensby Schools, land extending up to Irby Hall and an enclave between Irby and Thingwall/Pensby.

14.11 I saw that some of the land between Telegraph Road and Thurstaston Road displays the heathland character found to the west of Telegraph Road. Yet in my view the landscape value of the land to the east is not of such distinction that its omission from the ASLV could be regarded as inconsistent with the principles of ASLV designation. The fact that the land affords distant views does not change the position. I therefore consider that there is no strong case for including it in the ASLV.

14.12 The ASLV land around Thornton Hough extends up to and past Brimstage; but it does not extend to the east of the M53 motorway through Storeton to Prenton along the Lever Causeway, as suggested by the Structure Map Key Diagram Heritage Landscape notation. It is proposed in Objection 215/5 that a wider tract of land should be included in the ASLV, extending north of the Brimstage Road to the railway line and as far north as Stanley Wood, and eastwards to include Storeton Hill. Whilst this pleasant landscape has some general characteristics found south of Brimstage Road, it seems to me to fall somewhat short of the distinction offered by for example the grounds of Thornton Manor and Manor Wood.

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<sup>2</sup> The Council refer to a speech given on 23 February 1994 by The Earl Howe, Parliamentary Secretary (Lords), Ministry of Agriculture, Fisheries and Food (CD176).

<sup>3</sup> Merseyside Structure Plan Key Diagram (CD049).

<sup>4</sup> ALT/LANDSCAPE/005 (CD056, page 186) and ALT/LANDSCAPE/006 (CD056, page 187 and map following).

*Part II: Proposal LA2 and supporting text - Areas of Special Landscape Value  
LA2/2 Dee Coast ASLV  
Heswall Dales/Cleaver Hospital Site  
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LA2/4 Thornton Hough ASLV  
Land between Brimstage and Storeton*

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14.13 The landscape studies on which the Council largely base their judgement<sup>5</sup> show a lessening of landscape quality towards the northern end of the extended ASLV suggested by the Objector. It therefore appears to me that there is some justification for the Council's view that in general circumstances where the proliferation of local landscape designations is not encouraged, the view that the Thornton Hough ASLV should not be extended has some justification.

14.14 The Objector submits that Policy LAN1<sup>6</sup> offers protection only to landscapes which are the subject of ASLV designations. That is not my interpretation. Criterion (i) is only part of the Policy, which otherwise requires the visual impact of development proposals upon the local and wider landscape to be kept in mind and states that proposals will not be permitted where their visual impact would be inappropriate. The protection offered by other UDP policies<sup>7</sup> would offer additional support. In all these circumstances I conclude that the evidence for the extension of the Thornton Hough ASLV does not provide a strong justification for that extension.

#### **Inspector's Recommendation**

14.15 I recommend that the UDP be modified by the amendment of Proposal LA2/2 to include Heswall Dales in accordance with ALT/LANDSCAPE/005 and of the Proposals Map to show the Dee Coast ASLV extended in accordance with ALT/LANDSCAPE/006, but that no modification be made in response to Objections 215/5, 215/17 and 215/27.

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<sup>5</sup> See Merseyside Structure Plan Report of Survey - Natural Resources (June 1979), Figure 29 (Areas of Landscape Value) at Appendix 2 to Council proof WMBC/P/30.

<sup>6</sup> Policy LAN1 - Principles for Landscape (as proposed to be amended by ALT/LANDSCAPE/001 (CD056, page 182)).

<sup>7</sup> For example, Policy GB2 - Guidelines for Development in the Green Belt; Policy GB8 - Guidelines for Major Developed Sites in the Green Belt; Policy AG4 - The Control of Agricultural Development; Policy AG8 - Criteria for Equestrian and Livery Stables; Policy LA5 - Criteria for Horse Shelters and Stables; Policy LA6 - Criteria for Advertisements outside the Urban Area; Policy LA7 - Criteria for Development at the Urban Fringe; Policy MIN3 - Restoration and Aftercare of Mineral Extraction Sites; Policy MI2 - The Control of Oil and Gas Facilities; Policy MI4 - Sand, Gravel and Sandstone Extraction.

*Part II: Policy LA3 and supporting text -  
Priorities for Areas Requiring Landscape Renewal  
Proposal LA4 and supporting text - Areas Requiring Landscape Renewal  
LA4/1 The M53 Corridor and Bidston Moss  
Land to the south of Bidston Station  
LA4/2 North Wirral Plain (Moreton)*

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**POLICY LA3 - PRIORITIES FOR AREAS REQUIRING LANDSCAPE RENEWAL**

Written Statement Paragraph 14.16

**PROPOSAL LA4 - AREAS REQUIRING LANDSCAPE RENEWAL**

Written Statement Paragraphs 14.19 and 14.22

LA4/1 The M53 Corridor and Bidston Moss

Land to the south of Bidston Station

LA4/2 North Wirral Plain (Moreton)

OBJECTIONS: 062/10 Redrow Homes (Northern) Ltd<sup>1</sup> 070/101 GO-M  
080/16 Cheshire Wildlife Trust 097/2 Sable Ltd 121/17 MAFF  
127/21, 127/22 Wirral Wildlife

COUNTER-OBJECTION: 090/D Mr D I Maurice Jones

**Summary of Objections**

- 14.16 The word 'normally' should be deleted from Policy LA3 (070/101). Care should be taken in defining Areas Requiring Landscape Renewal where other interests such as nature conservation exist. Bidston Moss and Meols Meadow are areas which may not require landscape renewal for the sake of visual appearance, but have value in other terms (080/16, 127/21, 127/22).
- 14.17 Proposal LA4/1 could unreasonably restrict the development potential of land to the south of Bidston Station should the Green Belt designation of that land be removed (097/2).
- 14.18 The word 'horticulture' in Paragraph 14.19 of the Reasoned Justification for Proposal LA4 should be replaced by 'horsiculture' (121/17). The replacement word should not be used, as it does not appear within the Oxford English Dictionary (090/D). Paragraph 14.20 of the Reasoned Justification for Proposal LA4 should offer more protection to sites within Landscape Renewal Areas with nature conservation value. More emphasis should be given in Paragraph 14.22 to the role that ditches play in the landscape of the North Wirral Plain (Moreton) (127/21, 127/22).

**Assessment and Conclusions**

14.19 A published change to Policy LA3 omits 'normally'<sup>2</sup>. It seems to me that designation of general areas under Proposal LA4 need not be incompatible with the designation of specific

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<sup>1</sup> This Objection is considered on 132-135 of this report.

<sup>2</sup> ALT/LANDSCAPE/007 (CD056, page 188).

Part II: Policy LA3 and supporting text -  
Priorities for Areas Requiring Landscape Renewal  
Proposal LA4 and supporting text - Areas Requiring Landscape Renewal  
LA4/1 The M53 Corridor and Bidston Moss  
Land to the south of Bidston Station  
LA4/2 North Wirral Plain (Moreton)

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sites such as **Meols Meadow** and **Bidston Moss** as Sites of Special Scientific Interest (SSSI) or Biological Importance (SBI). Indeed any proposals for these sites are subject to separate policies in the UDP<sup>3</sup> and any landscape renewal activity should take into account the objectives of those policies and of the designation of the sites. Paragraph 14.20 of the Reasoned Justification clearly identifies the promotion of nature conservation as an objective of the M53 corridor, and Paragraph 14.22 states that recreational uses of the Moreton/Meols part of the North Wirral Plain should be compatible with its nature conservation value. In these circumstances no further strengthening of the supporting test is necessary in my view.

14.20 I agree that ditches are a feature of the North Wirral Plain north of Moreton but am not convinced that they deserve special mention. However, there is no suggestion that landscape improvement would result in the infilling of ditches; they may be vital to the sustenance of the natural habitat of the area. Policy LA3(ii) mentions the re-establishment of 'appropriate' landscape features and boundary treatment; in my view the careful planting of suitable tree species and new hedgerows (to the benefit of wildlife) is capable of falling within that criterion.

14.21 I conclude elsewhere that the land south of **Bidston Station** should be a part of the Green Belt which the Council propose in the M53 corridor<sup>4</sup>. As this land appears to be characteristic of neighbouring land which is included in the Landscape Renewal Area LA4/1 I consider that it should be included in that designation. The Council propose a change to Paragraph 14.19 of the Written Statement replacing 'horticulture' by 'horsiculture'<sup>5</sup>. The replacement word may not be found in many dictionaries, but has become popular in planning circles. Despite its being unorthodox it has the advantage of being reasonably clear in its meaning, and I therefore am content that it should be used in the UDP.

### Inspector's Recommendation

14.22 I recommend that the UDP be modified by the amendment of Policy LA3 and of the Reasoned Justification for Proposal LA4 in accordance with ALT/LANDSCAPE/007 and 008, but that no modification be made in response to Objections 080/16, 097/2, 121/21 and 121/22 or Counter-objection 090/D.

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<sup>3</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.

<sup>4</sup> See pages 136-137 of this report.

<sup>5</sup> ALT/LANDSCAPE/008 (CD056, page 189).

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**POLICY LA5 - CRITERIA FOR HORSE SHELTERS AND STABLES**  
**POLICY LA6 - CRITERIA FOR ADVERTISEMENTS OUTSIDE THE URBAN AREA**  
**Written Statement Paragraphs 14.28 and 14.29**

OBJECTIONS: 070/102 GO-M 121/18 MAFF 127/23 Wirral Wildlife

**Summary of Objections**

- 14.23 The word 'normally' should be deleted from Policy LA5 (070/102). Criterion (i) of Policy LA5 should include consideration of the ecological 'landscape', such as at the Meols Meadow Site of Special Scientific Interest (SSSI), where the proliferation of horses in the area is producing a hay meadow 'buffer' around the SSSI (127/23).
- 14.24 The Reasoned Justification for Policy LA6 fails to recognise the importance of well-designed signs in assisting with the promotion of facilities within rural areas (121/18).

**Assessment and Conclusions**

14.25 A published change to Policy LA5 omits 'normally'<sup>1</sup>. The Council submit that nature conservation interests on sites such as the Meols Meadow SSSI are already well served in terms of the off-site effects of neighbouring developments by policies elsewhere in the UDP<sup>2</sup>. However, without an appropriate reference in Policy LA5 it is possible that occasionally the erection of accommodation for horses could cause activity prejudicial to nature conservation interests, even though it satisfied the criteria in Policy LA5. I therefore suggest that a reference to nature conservation interests be added to Criterion (i).

14.26 The Council propose to amend the Reasoned Justification for Policy LA6 (Paragraph 14.28), referring to the need to balance any visual harm from advertisements and signs in rural areas with the expectation of rural businesses to advertise their services and products. This appears to be an adequate response to Objection 121/18.

**Inspector's Recommendation**

14.27 I recommend that the UDP be modified:

- (a) by the amendment of Policy LA5 in accordance with ALT/LANDSCAPE/009, subject to the addition of the words 'nor prejudicial to nature conservation interests' to Criterion (i) and
- (b) by the extension of Paragraph 14.28 of the Reasoned Justification for Policy LA6 in accordance with ALT/LANDSCAPE/011.

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<sup>1</sup> ALT/LANDSCAPE/009 (CD056, page 190).

<sup>2</sup> See Policy NC3 - The Protection of Sites of National Importance for Nature Conservation, as proposed to be amended by ALT/NATURE/003 (CD056, page 172).

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## POLICY LA7 - CRITERIA FOR DEVELOPMENT AT THE URBAN FRINGE

OBJECTIONS: .070/103 GO-M 215/67 Wirral Green Belt Council

### Summary of Objections

14.28 The word 'normally' should be omitted from Policy LA7 (070/103). A fourth criterion should be added to the Policy, drawing attention to Green Belt policy and discouraging applications for development (215/67).

### Assessment and Conclusions

14.29 A published change to Policy LA7 omits 'normally'<sup>1</sup>. There is reference to the Green Belt in Paragraph 14.30 of the Reasoned Justification. As the Policy is not specifically intended to deal with development on Green Belt land, reference to the Green Belt in a criterion would in my view be inappropriate. All the criteria in the policy may be directly relevant to the consideration as to whether development adjacent to but outside the Green Belt would be harmful to the amenities of the Green Belt<sup>2</sup>.

14.30 Urban fringe land within the Green Belt would be subject to the restrictive controls of PPG2 and UDP Policies GB2, GB3, GB4 (revised), GB5, GB8 and GB10<sup>3</sup>. No further extension of Green Belt control is therefore in my view necessary through Policy LA7.

### Inspector's Recommendation

14.31 I recommend that the UDP be modified by the amendment of Policy LA7 in accordance with ALT/LANDSCAPE/012, but that no modification be made in response to Objection 215/67.

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<sup>1</sup> ALT/LANDSCAPE/012 (CD056, page 194).

<sup>2</sup> See the guidance in PPG2 *Green Belts*, paragraph 3.15.

<sup>3</sup> Policy GB2 - Guidelines for Development in the Green Belt; Policy GB3 - Re-use of Redundant Buildings in the Green Belt; Policy GB4 (First Alterations) - Replacement of Existing dwellings in the Green Belt (as proposed under ALT/GREEN BELT/005 (CD056, page 52) and ALT2/GREEN BELT/004 (CD057, page 8); Policy GB5 - Extension to Existing Dwellings in the Green Belt (as proposed under ALT/GREEN BELT/006 (CD056, page 53); Policy GB8 - Guidelines for Major Developed Sites in the Green Belt (as proposed under ALT/GREEN BELT/009 (CD056, page 56); Policy GB10 - Key Workers Dwellings in the Green Belt (as proposed under ALT/GREEN BELT/011 (CD056, page 59)).