
POLICY URN1 - DEVELOPMENT AND URBAN REGENERATION

OBJECTIONS: 035/3 The Bromborough Society 047/2 Bryant Homes Ltd
 062/2 Redrow Homes (Northern) Ltd
 072/1 Frank Field MP 081/1 HBF
 122/1 Rural Development Commission

Summary of Objections

- 3.1 Whilst the policy of using neglected and derelict urban land is supported, greater protection should be given to greenfield sites in the Bromborough area, especially Cow Pasture Wood, Slackwood and Girling's Meadow (035/3).
- 3.2 The Policy is not clear about what the principles of the Urban Regeneration Strategy are. Such principles should be in the UDP to identify land for development, not to assess individual development proposals. As all areas should be protected from inappropriate development it is unnecessary to identify specific types of land or buildings to be protected (047/2).
- 3.3 The second part of the Policy should be deleted; it duplicates other parts of the UDP and will create unnecessary confusion (062/2).
- 3.4 The UDP's urban regeneration objectives are too limited, over-emphasising infrastructure works and making little reference to the need to link policies to achieve social as well as physical and economic regeneration (072/1).
- 3.5 The plan strategy for Wirral remains too narrowly focused upon urban concentration of development. More flexibility is needed to recognise the importance of providing a balanced distribution of land to meet the full range of housing market requirements (081/1).
- 3.6 The Policy should recognise the rural nature of the Borough with its objectives of rural regeneration and economic diversification (122/1).

Assessment and Conclusions

3.7 The essence of the Urban Regeneration Strategy is summarised in paragraph 4.4 of the Reasoned Justification, Policy URN1 setting out the principal means by which the strategy will be put into effect, by making full and effective use of urban land and buildings and ensuring that new development makes use of spare capacity in existing services. I cannot see how the UDP can be said to be unclear in this respect. Whilst all 'inappropriate' development might be said to be undesirable it is right in my view that the policy should specify those aspects of inappropriateness most relevant to urban regeneration.

3.8 PPG12 *Development Plans and Regional Planning Guidance* states that development Plans like the UDP are above all *land use* plans, and should not contain policies which are not

land use policies¹. The PPG requires local planning authorities to have regard to a number of matters, including social, economic and environmental considerations². The main topics to be covered are wide ranging but do not include social planning as such³.

3.9 Social considerations should be implicit in many of the UDP's constituent parts, and indeed are expressly referred to in paragraph 4.1 of the Written Statement. However so far as the land use focus of the Strategy is concerned, it is proper in my view that it should be on concentrating development resources in the urban area whilst seeking to protect the rural area from development which would materially affect its character.

3.10 In my view social benefit will be derived from the broad range of topic sections in the UDP and their constituent proposals and policies, such as for example the provision of new or better housing, the extension of employment choices and the protection of open space and recreational facilities. Policy URN1 deals with *development* and urban regeneration; the interests of sustainable development are served and it would in my view be inappropriate to seek to broaden the policy further.

3.11 The second part of the policy may appear to duplicate provisions elsewhere in the UDP. Yet it is proper in my view that the dual aspects of promotion and protection should be specified in sufficient detail to give developers and others a clear steer in this the strategic part of the Plan. I therefore consider that the second part of the Policy should not be deleted.

3.12 Policy URN1 essentially deals with *urban* regeneration; whilst this means in part an element of protection in the rural area, rural *regeneration*, however important elsewhere in the Plan, is not in my view appropriately featured here.

3.13 As Objection 081/1 makes a case for a broader representation of housing land resources in the UDP, I deal with under Policy HSG1⁴. Objection 35/3 is specific to certain sites in the Bromborough area, and is also considered elsewhere in the report⁵.

Inspector's Recommendation

3.14 I recommend that no modification be made to the UDP in response to Objections 047/2, 062/2, 072/1 and 122/1.

¹ PPG12, paragraph 5.6

² PPG12, Paragraph 5.5.

³ PPG12, paragraph 5.9.

⁴ see page 18 of this report.

⁵ See page 89 of this report.

POLICY URN2 - PLANNING AGREEMENTS FOR URBAN REGENERATION
Written Statement Paragraph 4.9

OBJECTIONS: 047/3 Bryant Homes Ltd 071/2 Ms A Eagle MP
 072/2 Frank Field MP 081/2 House Builders Federation
 212/1 Tesco Stores Ltd 215/1 Wirral Green Belt Council

Summary of Objections

- 3.15 Policy URN2 should make it clear that planning obligations will only be sought 'where necessary to the granting of permission, relevant to planning and relevant to the development to be permitted'. The 'catchall' phraseology used is inappropriate (047/3). The word 'may' should be substituted for 'will', and the Reasoned Justification should refer to the Government policy context in which agreements are sought (081/2, 212/1).
- 3.16 Policy URN2 should take a firmer stance on the Council's determination, within reason, to negotiate planning gain (071/2, 072/2). It should contain a commitment to consult local communities on possible benefits (071/2). A policy document referenced to Policy URN2 and its Reasoned Justification should list those benefits (072/2).
- 3.17 Policy URN2 should not express a presumption in favour of planning agreements. Whilst the principle of planning gain is sound, there is potential for environmental harm. The Reasoned Justification should make it clear that environmental quality must have precedence, and the UDP must emphasise criteria for environmental protection (215/1).

Assessment and Conclusions

3.18 I see no reason why Policy URN2 should not in an urban regeneration context be expressed in the manner proposed in the UDP. The use of the word 'will' is prefaced by the words 'in appropriate circumstances' and this to my mind is no less suitable a way in which to express the Policy than the use of 'may'. The Council propose to amend paragraph 4.9 of the Reasoned Justification to refer to the need for any agreement to conform, in terms of its 'reasonableness' and in other respects, to national advice in Circular 16/91². In my view Paragraph 4.9 should be further amended to reflect the text in Paragraph 7 of the replacement Circular 1/97.

¹ Circular 16/91 *Planning and Compensation Act 1991 - Planning Obligations*, paragraph B7. This circular has now been replaced by Circular 1/97 *Planning Obligations*, broadly similar but slightly amplified guidance being given in Paragraph 7.

² ALT/URBAN REGENERATION/001 (CD056, p 2).

3.19 The Reasoned Justification as so amended would my view give an adequate representation of the circumstances in which agreements will be sought; if any greater imperative on such circumstances were to be expressed in the UDP this would I believe go beyond the scope of current policy and its scrutiny by the Courts.

3.20 It would be for the Council to decide whether or not to publish a policy document explaining its detailed approach to planning obligations. If any such document cross-referenced to the UDP attempted to be more definitive about the circumstances in which obligations might be negotiated and the types of benefit sought, I consider that this could inhibit rather than maintain flexibility in negotiations with developers. The extent to which local communities should be consulted is again a matter for the Council to determine, but not in my view for prescription in the UDP itself. I therefore make no recommendation for any change to the UDP in these respects.

3.21 National advice on planning obligations is clear in explaining their scope in influencing the outcome of a planning application³. The UDP contains policies dealing with a range of environmental issues. In any one case it will be for the Council in the first instance to determine what weight should be given to environmental factors as against other matters. To give emphasis on environmental issues in a policy which deals specifically with urban regeneration is in my view unnecessary. The consideration of planning obligations in this context does not absolve the developer or the decision maker from giving due consideration to other policies in the UDP.

Inspector's Recommendation

3.22 I recommend that the UDP be modified by the amendment of Paragraph 4.9 of the Reasoned Justification for Policy URN2 as follows:

'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',

but that no other modification be made in response to Objections 047/3, 071/2, 072/2, 081/2, 212/1 and 215/1.

³ See Circular 1/97 *Planning Obligations*, especially Annex B which states at paragraph B3 that 'unacceptable development should never be permitted because of unrelated benefits offered by the applicant'.

POLICY HSG1 - NEW DWELLING REQUIREMENT
(POLICY HS1 - LAND ALLOCATED FOR HOUSING DEVELOPMENT)
Written Statement Paragraphs 6.3, 6.12, 6.13

OBJECTIONS: 062/7 Redrow Homes (Northern) Ltd 075/1 Barratt Ltd
047/4, 047/5 Bryant Homes Ltd
061/2, 061/4 Mulberry Properties (Noctorum) Ltd
062/6 Redrow Homes (Northern) Ltd 081/1, 081/3, 081/4 HBF
124/1 Wain Homes plc 074/1 Wimpey Homes Holdings
215/3 to 215/5 Wirral Green Belt Council

Summary of Objections

- 3.23 The statement in paragraph 6.3 of the Reasoned Justification that the requirement of 9500 dwellings over the UDP period to March 2001 has been 'set' by the Secretary of State is inaccurate. This is only a general guide¹, and the figure should take into account the latest population projections up to 2001 (047/4, 062/6, 081/3).
- 3.24 The housing allocation is insufficient for the remainder of the Plan period and should be increased. New dwelling completions have exceeded the prescribed rate, and the residual requirement is thus considerably lower. Extra dwellings have been completed during a period of market constraint, and demand could rise as the constraints lessen, making the residual requirement clearly insufficient. More provision should therefore be made for market demand, as other Merseyside Boroughs have done. Otherwise, the increased property prices which would follow from increased demand pressure would disadvantage those at the bottom of the housing ladder (047/5, 061/2, 061/4, 074/1, 075/1, 124/1).
- 3.25 The Plan strategy for Wirral remains too narrowly focused upon urban concentration of development. More flexibility is necessary to recognise the importance of providing a balanced distribution of land to meet the full range of housing market requirements. Although paragraphs 6.7 to 6.11 of the Reasoned Justification refer to monitoring, insufficient evidence is provided to demonstrate that the assessments of the components which make up the housing requirement figure remain valid (081/1, 081/3, 081/4).
- 3.26 It is questionable whether such a high housing requirement of 9500 dwellings is required. There is a considerable number of properties of all types for sale. Wirral has a limited land area dictated by the coastline and rivers. Meeting the requirement has a great potential to harm environmental quality (215/3).
- 3.27 Paragraph 6.12 (Figure 3) of the Reasoned Justification places too much reliance on long-standing planning permissions. Some recent applications have highlighted environmental problems caused by the presumption in favour of development; some permissions go back many years, since when environmental considerations have changed dramatically,

¹ See the guidance in paragraph 6 of PPG11 *Strategic Guidance for Merseyside*.

especially where a site has developed a habitat and become a valuable local amenity (215/4). The dependency (Paragraph 6.13) on unidentified sources of housing needs quantifying. Infill development can cause loss of character and amenity and needs suitable criteria (215/5).

Assessment and Conclusions

National and Strategic Context

3.28 National planning guidance requires the planning system to exercise the key role of making provision for homes and buildings, investment and jobs, in a way which is consistent with the principles of sustainable development². The system is required to identify an adequate and continuous housing supply, taking account of market demand and of Government policies for the encouragement of home ownership and provision of rented houses. This national objective is subject again to the promotion of environmental policies, including the protection of Green Belts, natural habitats, the countryside generally and the best and most versatile agricultural land³.

3.29 The UDP has a crucial role in identifying an acceptable choice of sites both suitable and available for housebuilding, including identifying opportunities within urban areas that will support the key objective of urban regeneration and relieve pressure on the countryside, whilst ensuring that a varied land supply is available⁴. This includes opportunities arising from conversions, improvement and redevelopment⁵. An underpinning concept is that development and growth must be sustainable⁶. In circumstances where much of the open land outside the urban areas falls within the approved Green Belt it is inevitable that most of the land for housebuilding must be sought either within or at the edge of the Borough's built-up areas. However, opportunities should be found to satisfy all parts of the housing market.

Assessing the Housing Requirement - Need and Demand

3.30 The UDP's New Dwelling Requirement of 9500 dwellings expressed in Policy HSG1 originates from PPG11 *Strategic Guidance for Merseyside* (1988)⁷. This figure includes a figure of 1,750 dwellings partially to meet acknowledged demand for housing in Wirral identified at

² PPG1 (1997) *General Policy and Principles*, paragraph 1.

³ PPG3 *Housing*, paragraph 1.

⁴ PPG3, paragraphs 2 and 8.

⁵ PPG3, paragraphs 15 and 17.

⁶ PPG12 *Development Plans and Regional Planning Guidance*, paragraph 1.8 and PPG13 *Transport*, paragraphs 1.8, 3.2 and 3.3.

⁷ PPG11, paragraph 6.

that time. This implied an annual provision of 630 dwellings. Paragraph 6.3 of the Reasoned Justification for Policy HSG1 states that 9500 is the figure 'set' by the Secretary of State. This figure was laid down in PPG11 as a basic requirement, but the PPG made it clear that it was only a general guide to long term provision, and should be tested during the preparation of the UDP in the light of new evidence⁸.

3.31 The replacement RPG13 *Regional Planning Guidance for the North West*⁹ prescribes a county-by-county net additional dwelling provision expressed as an annual average of 2,750 for Merseyside between 1991 and 2011. The use of Wirral's 19% share of the total housing requirement figure for Merseyside derived from PPG11 gives by crude comparison an annual average provision for Wirral between 1991 and 2011 of 522 dwellings. However, such a conclusion is in my view too simplistic to act as anything more than a general guide.

3.32 A review of the housing requirement is being carried out by the North West Regional Association of Local Planning Authorities with due reference to the 1992-based DoE Household Projections¹⁰. RPG13 explains that regard should be had to the district level housing figures in PPG11 until the outcome of the Regional Association's review is available. That outcome will be of no benefit to this report and is unlikely to influence the final stages of the UDP, but it would no doubt be an important factor in any UDP Review. Even so, the PPG11 figure of 9500 whilst being a starting point for current assessments in relation to the UDP, does not do away with the need for it to be vigorously tested in the interim period and in the light of present circumstances, more than 8 years after PPG11 was published.

3.33 RPG13 emphasises that the future provision of housing land should take account of the *latest information* about trends in population and household formation rates, but having regard to the development framework including the urban regeneration and sustainability initiatives. The UDP should therefore have regard to the differential rates of increase in households above the more modest rise in population in the District¹¹. The Regional Association will no doubt wish to consider the implications of the Government's Green Paper *Household Growth: Where Shall We Live?*¹².

3.34 'The basic' housing requirement for Wirral is the product of a combination of factors, including changes in the size and structure of the Borough's population, in the number, size and needs of households and in the size, composition and condition of the existing housing stock. However once the 'need' component of the requirement is determined an important element of

⁸ PPG11, paragraph 6.

⁹ RPG13, Table 1 p 20.

¹⁰ This intention is referred to in RPG13, paragraphs 3.11 and 6.7.

¹¹ RPG13, paragraph 6.2.

¹² (Cm 3471).

guidance comes into play - the extent, if any, to which demand should influence the final figure. Demand was an factor in the establishment of the PPG11 housing requirement figure¹³; RPG13 more explicitly states that in Merseyside, development plans should not seek to constrain housing provision below the level of demand where it can be accommodated without encroaching on the Green Belt, areas of nationally or internationally recognised international importance or other open land protected for its agricultural, amenity, recreational or wildlife value¹⁴. PPG11 identified the main constraint in Wirral as the Green Belt¹⁵. To my mind therefore an assessment of likely demand and the extent to which it might continue to be accommodated is a necessary part of the total process of determining the Housing Requirement.

Population and Household Formation - the Basis for Projection

3.35 The Council's approach is described in the Core Housing Proof¹⁶. They decided to test an alternative approach to the DoE's 'trend-based' projections of the OPCS core data, in effect originating from the model jointly prepared in 1987 by the Merseyside Districts and the Joint Planning and Transportation Information Service (JPTIS, later MIS), used in the Merseyside Planning Conference which preceded the publication of PPG11. This model (referred to as PEDD 1987) was derived from the 1983-based OPCS¹⁷ population projections, and used headship rates from the 1961, 1971 and 1981 Censuses. Headship rates had increased considerably during this period (especially during the 1970s), and it was assumed that they would continue to increase.

3.36 PEDD 1987 was used by the Council and neighbouring local authorities on Merseyside to predict the number of households, and subsequently to estimate the implied need for new dwellings post-1986, testing the methodology with the conditions prevailing in 1961, 1971 and 1981 and enabling a comparison to be made with the 1983-based DoE household projections¹⁸. This comparison is shown in a table¹⁹ which indicates that the Council's identified dwelling shortfall between 1986 and 2001 of 7740 was some 2570 more than that arising from the 1983

¹³ PPG11, Appendix paragraphs 1, 3 and 5.

¹⁴ RPG13, paragraph 6.9.

¹⁵ PPG11, paragraph 5 of the Appendix.

¹⁶ CD4, pp 18-30.

¹⁷ Office of Population Censuses and Surveys.

¹⁸ Core Housing Proof (CD4), paragraphs 4.4 to 4.8. More detailed accounts of the process, and in particular the reasons why the Council did not directly use the DoE headship rates but favoured adjustment factors based on local trends, are given in *Housing Need Projections for the Merseyside Districts 1986-2001* (CD086) and in the Council committee report *Housing Need Projection: Wirral 1986-2001* (CD058).

¹⁹ Table 2, CD4 page 21.

DoE projection. The Council's figure (rounded up to 7750) was the one subsequently incorporated into PPG11 as the 'need' element of the 9500 housing requirement.

3.37 The Council refer to the accuracy of the 1987 housing 'need' requirement figures when tested against the 1991 Census results²⁰. They therefore decided to use the same modelling principles to review the UDP Housing Requirement figure, using headship rates from the 1991 Census and the 1992-based OPCS population projections incorporating certain adjustments to the data inputted (PEDD 1995)²¹. On the face of it the logic of continuing this approach which was used in 1987, seems reasonable. The Council point out that the 1993 projections suggest stability in Wirral's *population* level up to 2011²². However, there is for the same period a greater divergence between the 1995 PEDD projection and the DoE's trend-based *household* projections derived from the 1992-based OPCS population data²³.

3.38 The Council maintain that the 1992-based DoE household projections do not adequately take into account local circumstances which have influenced the output of the PEDD model. However, RPG13 advises that the review of housing provision which the Regional Association is to undertake should with its district-by-district breakdown have regard to those projections²⁴. As the 1987 PEDD model was an important tool of the Merseyside Planning Conference, so no doubt will the relative merits of the 1995 PEDD for Wirral as against the DoE projections be an issue in the Regional Association's deliberations and advice to the Secretary of State. For the moment therefore, the consequences of a possible significant increase in the number of households in Wirral in the period up to 2011 should not be lost sight of in the final determination of the UDP housing requirement up to 2001 and in the maintenance of an adequate 5 year housing supply.

3.39 Furthermore, there is in my view some substance in the criticism of PEDD 1987 by the housebuilding industry that it relied upon the 1983 OPCS projections which pointed to a decline in the population of Wirral to 2001 and a substantial fall in the number of persons in the 15-29 (household forming) age group. The 1992-based OPCS projections following the 1991 Census now forecast a much higher number of households by 2001 than the 1995 PEDD model.

3.40 The lack of agreement during the UDP inquiry about what the implications of those trends are for Wirral is a matter which in my view cannot be fully resolved through the UDP process, but needs to be put in the context of trends in neighbouring Districts, and the capacity of those

²⁰ CD4 - Table 4 p 27 and paragraph 4.22.

²¹ CD4 paragraphs 4.24 and 4.25, p 29.

²² Table 3 of CD4 (p 23) suggests a slight rise in the population of Wirral between 333,600 in 1996 to 334,200 in 2011.

²³ Table 4 of CD4 (p 27) indicates that by 2011 the figure for households would be 139,700 according to PEDD 1995 but 146,600 according to the 1992-based DoE projection.

²⁴ RPG13, paragraph 6.7.

Districts to accommodate any increase in the demand for new dwellings likely to be caused. The implications for Wirral should therefore be further explored under the Regional Association's mandate. It suggests at the least that for the purposes of finalising the UDP's housing provision the Council should not rely entirely on the less demanding output of the 1995 PEDD model at this stage.

3.41 The Council's claim that PEDD 1987 was notably accurate in predicting the number of households in 1991 was supported in the Sefton UDP Inspector's Report²⁵. However as some Objectors to this UDP have pointed out, that PEDD run was less accurate when compared with the increased number of households identified after 1991 Mid-year Population Estimates were refined²⁶. I therefore have reservations about the unqualified reliance by the Council on the output of PEDD 1995. I maintain this view even though I accept that the model has been rebased using a 'boost factor' applied to the population base and the derived household base.

Dwelling Stock Change: Estimating the Housing Requirement

3.42 According to the 1995 PEDD model, there will be 2,100 more households in the Borough of Wirral by 2001 than were predicted by the 1987 model. The DoE household projections suggest a figure of 5,700 more households. Both these figures must be examined against the surviving dwelling stock over that period, to assess the requirement for new dwellings. The Council took to the Merseyside Planning Conference an expectation that demolitions would take place at a rate of 200 per annum. This figure is higher than has been attained in any year since 1990, but has not been expressly challenged by Objectors.

3.43 The 1987 PEDD model assumed vacancy rates of over 5% which proved higher than the actual rates subsequently recorded²⁷. There is criticism of the Council's projected vacancy rate of 3.5% as too low. One objector advocates the use of the same formula for vacancy as used in the original PEDD model, calculated to result in a rate of 4.5%. Having regard to the actual rates for the 1990s the maintenance of a rate of 3.5% may be optimistic. However it is attainable, and I am therefore prepared to accept it for the purposes of this exercise.

3.44 The PPG11 residual new dwelling requirement 1995-2001 is 2657 units. The Council do not accept the interpretation by one Objector of the clearance replacement element of this requirement outstanding at 1995 (1443 units) as an allowance to be deducted from the overall residual requirement to obtain the demographic element of the residual requirement. The urban

²⁵ *Inspector's Report of a Public Inquiry into objections to the Sefton Unitary Development Plan* (CD082, paragraph 3.1.71, p 30). The PEDD 1987 prediction for Wirral of 131,007 households in 1991 compares with the 1991 'raw' Census figure of 131,454 (CD4 - Table 4, p 27 and paragraph 4.22, p 28).

²⁶ The mid-1991 population revised final estimates are explained in OPCS Monitoring paper PP1 93/2 dated 19 August 1993 (CD115). The paper refers to the amount of net inward migration between 1981 and 1991 having been understated, leading to the revised 'final' population figure for Wirral of 336,000.

²⁷ Appendix B to Council proof WMBC/P/19 (p 45) shows a rate which at no time exceeded 4.6% falling towards the end of the 1980s to below 4%.

process of urban regeneration from the retention and refurbishment of dwellings will result in more retained stock and a lower requirement for new dwellings. However, unfitness remains a significant problem in Wirral²⁸, and the Council acknowledges that there are insufficient resources presently available to make rapid inroads into this deficiency.

3.45 If therefore the number of retained dwellings is higher because of lower annual rate of demolitions, it follows to my mind that a significant proportion of those dwellings will be either statutorily unfit or less fit for habitation than they ought to be. Thus in terms of quality of housing I do not regard a lower actual rate of demolitions as justifying a commensurate reduction in the residual requirement. In my view therefore it is reasonable to continue to assume that there will be demolitions to 2001 at the rate of 200 per annum for the purpose of calculating the surplus or shortfall of dwellings.

3.46 Table 2 in Council proof WMBC/P/33²⁹ explains the exercise done by the Council to calculate that surplus or shortfall, using the 1995 PEDD model including a 3.5 vacancy rate and demolitions at 200 per annum. The conclusion reached is that the requirement for 1991-2001 is 5105 new dwellings, an annual rate of 511. The Council explain how they have calculated the increase in occupied dwellings between 1986 and 1991, using the 1981 Census count of households, a 1986 estimate of households used in PEDD 1987 and the 1991 Census figure for households (but not the refined figure following the mid-year estimates). The figure they arrive at (2929) when added to the 5105 gives a total 1986-2001 requirement of 8034, within the PPG11 requirement of 9500 dwellings.

3.47 It is useful to use Table 2 of WMBC/P/33 as a means of estimating the surplus or shortfall of dwellings to 2001, merely substituting the 1993-based DoE household projections³⁰ for those employed by the Council in Table 2. This results in a new dwelling requirement for 1991-2001 of 8734³¹ which, even if added to the Council's figure of 2929 for 1986-1991, totals 11,693, over 2,000 in excess of the total PPG11 housing requirement for 1986-2001. Even if I accept the Council's contention that there is no basis for increasing the 1750 demand component of that requirement because many of the dwellings already built have contributed towards satisfying that component, then the requirement of 9,500 now looks potentially and significantly deficient if the 1993-based DoE household projections are to be given the serious consideration clearly signalled by RPG13.

²⁸ The nature and extent of the unfitness of the Borough's housing stock is described in paragraphs 5.5 to 5.9 of the Council's Core Housing Proof (CD4), including reference to 17.7% of the private stock being unfit for human habitation in 1995 within the meaning of Section 604 of the Housing Act 1985 (as amended).

²⁹ WMBC/P/33, p 44.

³⁰ As recorded in CD4, Table 4 page 27.

³¹ This compares with a figure of 7950 referred to in Proof of Evidence 62/P/1, paragraph 7.3.14, p 35.

Continuity of Supply

3.48 PPG3 *Housing* requires local planning authorities to aim to ensure the availability of five years' supply of housing land and to show in their development plans how future requirements for new housing can best be met³². Although the UDP is required expressly to show only how the means of attaining the housing requirement is to be achieved, the plan should be sufficiently flexible to enable the Council to discharge their responsibility of ensuring a continuity of supply over that 5 year period, and in view of the permanent nature of the Green Belt to minimise the likelihood that ad hoc changes to the Green Belt are necessitated by pressures for housing land.

3.49 This is in my view especially important in the Wirral where the UDP will when adopted only have a few years to run. Although as the Council point out a review of the Plan is intended, that review will become a difficult and unsatisfactory exercise if for example there is insufficient scope for the Plan to meet ongoing housing needs (including the Regional Association's detailed conclusions on district-by-district needs).

3.50 All parties agree that in Wirral between 1986 and 1995 the actual housing building rate exceeded the anticipated rate. If the PPG11 housing requirement is followed, the residual requirement at 443 would be significantly below the rate of about 600 which has existed since 1990³³. It points in my estimation to the rate of building being suppressed towards the end of the Plan period by a shortage of land and insufficient land being identified to assure a 5 year supply beyond the end date of the Plan. I do not believe that such a situation should depend for its resolution on a Review of the UDP; the way forward should be apparent in the present UDP.

3.51 The Council maintain that sufficient land is identified in the UDP to satisfy a 5 year requirement at 2001; however given the conflicting views about household projections and the unknown outcome of the Regional Association's advice to the Secretary of State on district requirements, I do not share their confidence in this matter. Furthermore, the Council propose to extend what is acknowledged to be a tightly drawn approved Green Belt, northwards up the M53 corridor. I conclude elsewhere that such a proposal has merit in principle³⁴; but the proposed extension to Green Belt is drawn as tightly as the approved Green Belt, and I recommend that only the minimum area necessary to support the basic functions of the Green Belt be allocated as such, and that some excluded land be allocated for housing purposes.

3.52 Even if I were not recommending a modified Green Belt extension there would still in my view be a case for not developing land right up to the motorway; indeed some of this land falls within the washlands of the Rivers Fender and Birkett, and for this reason would not

³² PPG3, paragraphs 8 and 46.

³³ The PPG11 requirement of 9500 is equivalent to about 630 dwellings per annum; Figure 1 of the UDP Written Statement shows how this was considerably exceeded between 1985 and 1989. In recent years the rate has been nearer the PPG11 average annual rate. Between April 1986 and March 1995 there were 6,836 house completions, including 670 conversions.

³⁴ See pages 120-123 of this report.

support housing or other development. In these circumstances it seems to me that the opportunities for identifying housing land outside the urban areas are quite limited, and make it more difficult to satisfy an increased housing requirement.

The Demand Element: Preliminary Conclusion on the Housing Requirement

3.53 I conclude in paragraph 3.51 above that the residual housing requirement arising from the PPG11 figure is considerably below the rate of building in the last few years. Whilst I accept the Council's submission that a significant proportion of the demand element of 1750 identified in PPG11 will already have been built, this does not justify housing demand being reined in during the last few years of the UDP Plan period if there is sufficient land available to meet that demand after demographic needs have been accommodated³⁵.

Meeting the Housing Requirement - Housing Land Supply

3.54 As one witness has put it³⁶, in the exercise of determining the UDP's overall housing requirement my conclusions on the demographic and demand evidence need to be balanced against the supply of land which can realistically be made available without harm to overriding strategic interests, notably the Green Belt. General guidance on how the UDP should indicate how the housing requirement is to be met is found in PPG3. This includes reference to the desirability for a variety of sites in terms of size and distribution to be shown as suitable for housing development, taking account of the local pattern of market demand for housing³⁷. The sources of new dwellings is shown on Figure 3 of the Written Statement, revised to take account of planning permissions and other changes of circumstance up to and beyond March 31 1995 to give a total supply of land for 10,827 dwellings³⁸.

3.55 Of this total, 6843 dwellings (63%) are new build completions (including the net change from conversions), 2,813 (26%) relate to sites identified at 31 March 1995 (including 814 on UDP allocated sites). The revised total also includes a new build contribution from sites identified after March 31 1995 (735 units³⁹), and a prediction about the future net gain from conversions (420). Some of the components of the revised Figure 3 have been criticised by

³⁵ RPG13 makes clear at paragraph 6.9 that in Merseyside development plans should not seek to constrain housing provision below the level of demand where it can be accommodated without encroaching on Green Belt, areas of nationally or internationally recognised ecological importance or other land protected for its agricultural, amenity, recreation or wildlife value.

³⁶ See Proof of Evidence 62/P/1, paragraph 9.4, p 47.

³⁷ See paragraphs 12 and 13 of PPG3.

³⁸ Figure 3 (p 48 of the Written Statement) indicates a total of 9716 dwellings; the revised Figure (Appendix D to CD4) increases this total by 1,111.

³⁹ This figure is recorded on page 51 of Council proof WMBC/P/19.

Objectors, including reservations about the prospects for development or yield or rate of development of specified sites. I deal with each of these matters in turn.

Large Sites (over 0.4 ha), Under Construction⁴⁰

3.56 From the information provided by the Council I have no reason to conclude that the 34 remaining units to be built forming Phase 2 of the development at **Barton Hey Drive, Caldy** will not be built by the end of the Plan period, although this would require a steady rate of completions. I am therefore satisfied that this site should be fully represented in the UDP's land supply account.

Large Sites (over 0.4 ha), Not Started⁴¹

3.57 Although I have no evidence of an impending start on the development of the site at **107-115 Eleanor Road, Bidston**, the site was included in the 1992 Housing Land Availability Study, and planning permission was renewed in 1993. Any relative difficulties in the development of the site due to certain physical features are not in my view sufficient to justify the site being taken out of the UDP's land supply schedules.

3.58 The prospects of development of the former quarry site at **Thingwall** have been enhanced by the grant of planning permission for 10 units in 1994 and the subsequent construction of an access road. The Council's explanation that the inert fill used in the quarry will not give rise to any landfill gas complications seems satisfactory. The site is an example of urban land suitable for housing which should be developed before land is taken out of the approved Green belt. Lack of current declared market interest in the site is not in my view sufficient to justify its deletion from the land supply schedules.

3.59 The land north of **198 Reeds Lane, Moreton** was originally envisaged for local authority development. I am not aware of any known constraints upon its development by another housing agency. Even if the Council have not authorised its marketing for such purposes its inclusion in the supply schedules is to my mind a firm indication that the Council wish to promote it for housing purposes. It should therefore be retained in the schedules.

3.60 Although planning permission has been granted for the development of land to the rear of **Heath Hey, Arrowe Park Road** as a close care complex, this scheme includes 10 warden-assisted flats. The Council are therefore right in my view to retain this site in the Schedules with that capacity. Planning permission was last granted for residential development on land to the north of **Cedar Cottage, Croft Drive West, Caldy** in 1993. I accept the Council's view that there the prospects for the development of this small site for low density housing within the lifetime of the UDP appear reasonable.

⁴⁰ As listed in Appendix E1 to Housing Core proof CD4.

⁴¹ As listed in Appendix E2 to CD4.

3.61 Whilst the site at **Finnieland, Grosvenor Road, Hoylake** has some constraints, the Council envisage a higher density housing scheme here which might suit its rather awkward shape, and I find no compelling reason to conclude that the anticipated yield of 6 units could not be attained before the end of the Plan period. I accept that the development of small sites north of **Hawkstone, Stanley Avenue, Bebington** and at **St Michaels, Column Road, West Kirby** is largely dependent upon the intentions of their owners, but again I do not see the absence of action to that end to be sufficient reason for removing these acceptable sites from the Schedules.

3.62 The Council confirm that the site north-east of **Highcroft Avenue, Bebington** is under offer to a private housebuilder. I have no information as to the type of development intended, but consider it possible that a lower density will be adopted than the 33 flats referred to on the planning application. I therefore suggest a reduction in the site capacity from 33 to 24. Although the need for a long access road could raise considerations as to viability so far as the site at **Elm Avenue/Beech Avenue** is concerned, I am not convinced that what appears to be a supposition on the part of the Objector who raised this issue justifies the removal of the site from the Schedules.

Large Sites (Allocations over 0.4 ha), Not Started⁴²

3.63 So far as land south of **Ditton Lane, Leasowe** is concerned (HS1/1), the Council refer to developments in Moreton and Leasowe since 1989 have been developed at densities of 25-43 and 33-38 dwellings per hectare respectively, I do not consider it unreasonable for the Council to assume for the purposes of this exercise that a similar yield and rate of development could occur on Site HS1/1, notwithstanding the need to raise the base levels of dwellings for drainage reasons.

3.64 It is suggested by two Objectors that Site HS1/2 (**Claremount, Reeds Lane, Leasowe**) is only capable of realising 100 dwellings. However I am satisfied that the Council's view that 150 is a reasonable estimate of the likely yield again when considered against comparable housing developments in Moreton and Leasowe, and having regard to the extent that peripheral bunds and landscaping/ponds could be justifiably included in the open space provision. I do not regard the implementation of this development within the Plan period as an unreasonable proposition.

3.65 I am content that the proposed HS1/3 replacement site north of **Rosebrae, Birkenhead** (also referred to as **Phase II, Priory Wharf**)⁴³ can, despite its smaller size, accommodate the Council's estimated yield of 130 units in an area where I note that higher density development has already been promoted. I conclude elsewhere that this site should be allocated solely for housing purposes⁴⁴.

⁴² As listed in Appendix E4 to CD4.

⁴³ See ALT/HOUSING/001 (CD056, p 31).

⁴⁴ See page 105 of this report.

3.66 When I inspected the site of the **Laird Street Bus Depot, Birkenhead (HS1/4)** it was still in active operational use. However, the Council consider this to be a 'cornerstone' housing site in terms of its potential contribution towards urban regeneration through the City Lands initiative which has already realised over 500 new dwellings in Birkenhead and Seacombe since 1992. There is funding for the relocation of the bus depot and the dwellings are programmed for completion by 2000. I have no evidence to cast doubt upon that intent.

3.67 I consider Objections to **HS1/5 (Manor Drive, Moreton)** elsewhere and conclude that it should remain an allocated housing site⁴⁵. The capacity of the site at **Weybourne Close (HS1/6)** currently under construction should reasonably be adjusted to reflect the number of units which have planning permission (34).

3.68 An Objector considers that land adjoining the **Rock Ferry Bus Depot (HS1/10)** is more suited to commercial development than housing. Although planning permission was granted for the development of this site for commercial purposes before publication of the Deposit Draft of the UDP, neither of the permissions granted has been implemented and the site owners have not objected to the proposed allocation. No duly made Objection has been made to housing development on its own merits, and it seems to me that housing would clearly support the UDP's urban regeneration initiatives in a part of the Borough which has few site allocated for housing. The development would in my view be capable of integration with adjoining housing areas. I therefore consider that the estimated yield of 20 units should remain in the housing supply.

3.69 Criticism that access cannot be achieved to the unused land south-east of the Social Centre at **Highcroft, Bebington (HS1/11)** is met by the Council's statement that the land can be reached through an adjoining housing site. In a part of the urban area where again identified housing opportunities are relatively rare the past failure of development initiatives to come to fruition is not to my mind sufficient to justify the removal of this land from the list of allocated housing sites.

3.70 I recommend elsewhere⁴⁶ that sites at the former **Birkonians Rugby Club, Noctorum** and at **Fender Farm, Fender Way, Moreton** should be allocated for housing purposes. The yield of these sites should therefore be added to the housing land supply schedules. The additions to the housing land supply should improve the flexibility of supply in market terms.

Large Sites (Lapsed Consents over 0.4 ha), Not Started⁴⁷

3.71 One Objector suggests that the allowance of 160 dwellings under this heading should be deleted from the supply figure, as the 3 sites listed are neither allocations nor (as lapsed

⁴⁵ See pages 100-103 of this report.

⁴⁶ See pages 131 and 135 of this report.

⁴⁷ As listed in Appendix E5 to CD4.

permissions), commitments. However, the sites are specified and the fact that planning permission for their development for housing may have lapsed is not in my view in itself a reason to discount them. What PPG3 advises is that it is their marketability, the prospects of their being developed which should determine whether they should continue to be part of the housing land supply⁴⁸.

3.72 The Council indicate that development has commenced on the largest site, at **Ceres/Merle Drive, Bidston** and on the site at **Glen View, Raby**. The site at **Livingston Road, Leasowe** has been identified for development by a Housing Association during the Plan period. I am therefore not convinced that the doubts raised by the Objector about the likelihood of the development or further development of these sites are sufficient to warrant them being deleted from the land supply.

Large Sites (over 0.4 ha) Identified After 31 March 1995⁴⁹

3.73 These potential sites largely arise as a result of the impending clearance of existing urban sites. There are 2 main points at issue concerning the largest site, the southernmost end of the site of the **Levers Factory, Bebington**. The first is the view that 150 would be a more realistic estimate of the potential yield of the site than the Council's figure of 200. The Council's estimate is based upon a density of 15 dwellings per hectare which takes into account open space requirements and appears to me to be reasonable. On this basis the Council's estimate as to the total capacity of the site is realistic.

3.74 The outline permission the Council was minded to grant for the development of this site was subject to completion of a Section 106 agreement. Nevertheless, I see no reason why development should not commence during 1997 after finalisation of the agreement and the approval of details if market demand is there to the extent claimed by some of the Objectors. It is likely however that less than 4 years would remain until the end of the plan period in March 2001. I do not feel able to make a firm judgement about the rate of development such as to prefer the 30 units per annum suggested by Objectors or the 50 claimed by the Council; but even at the higher rate it seems to me that the Council's target of 200 to be built by the end of the Plan period is a little overoptimistic. I therefore settle on the figure of 150 suggested by one of the Objectors. 50 units should be deleted from the supply schedules.

3.75 An Objector criticises the reliance by the Council on the remaining sites in this part of the schedules⁵⁰ which largely arise from clearance activity. The grounds for this view are that the redevelopment envisaged for these sites would result in urban 'cramming' and would be

⁴⁸ PPG3, Annex B paragraph 8.

⁴⁹ As listed in Appendix F(i) to CD4.

⁵⁰ Tees Street, Birkenhead; Gorsey Hey, Bebington; Wellington School, Bebington; Poets Estate, Rock Ferry; Exmouth Way, Birkenhead; land to the rear of Hamilton Square Station, Birkenhead; Houghton Court, Woodchurch and Ruskin Avenue/Green Lawn, Poulton.

heavily dependent upon sufficient funds being made available to the main providers of new social housing in the Borough, the Housing Associations. As to the first ground I am satisfied that housing development at the fairly high densities referred to by the Council and catering in part for smaller households would not in general be inappropriate for the sites listed.

3.76 On the second issue, I note that the Objector's doubts about the level of public funding in this part of the housing market appear to be shared in part by the Council's in their Housing Strategy for 1996-1997⁵¹. Whilst the level of bids for resources for delivering the Strategy were modified in the early 1990s, so was the level of resources available. However it is reasonable in my view to expect that some new housing provision will arise in this way, and I do not support the Objector's view that this block of provision should be deleted as a whole.

3.77 Some of the schemes mentioned have originated from the private sector. Whilst the realisation of the full potential of these sites appears to depend on an optimism that is not reflected in present expectations of resource funding, I assume for the purpose of this exercise that 200 of the predicted yield of 335 will be realised during the Plan period. When added to the yield of 150 for the Lever Brothers land at Bebington, this results in a total under this heading of 350, a reduction of 185 on the figure put forward by the Council.

*Small Sites*⁵²

3.78 The Council identify an overall contribution from small sites (less than 0.4ha) of 1039 units⁵³. National guidance allows for a contribution from small sites to be taken into account, but cautions that this should not be overestimated⁵⁴. The Council have gone beyond the guidance in that they have sought to identify these sites individually and to estimate a yield for them. The guidance is that an aggregate *allowance* should be used in determining their contribution to the total supply. The total estimated annual yield from these sites over the remaining years of the UDP ($1039 \div 6$ (years) = 173 units) is 62 units below the average annual yield attained from small sites since 1986.

3.79 I do not therefore support the view held by some Objectors that the rate of 173 is unrealistic, and do not propose to make the suggested deduction of 335. However it does presuppose that other sites will become available during the Plan period, as it is extremely unlikely that all the sites identified under this heading would be developed during that period.

⁵¹ CD089 - see Section 9, pages 43 and 44.

⁵² As listed in Appendices E6, E7 and F(ii) to CD4.

⁵³ Sites under construction where units are not started or are under construction, 290; Sites not started but with planning permission, 549; Sites identified after 31 March 1995 where units not started, 200 (corrected figure referred to on page 51 of Council Proof WMBC/P/19).

⁵⁴ See PPG3, Annex B paragraph 10(i).

Conversions

3.80 The Council's estimate of future net gains from conversions (70 per year) is based upon completions during the Plan period to date⁵⁵. This is a revision of the 30 per year referred to in the original Figure 3 of the Written Statement. The Council attribute this change to the increasing small household component in future household growth. National policy encourages the accommodation of this trend through conversions⁵⁶. The UDP supports this means of satisfying an important part of the housing market⁵⁷.

3.81 There appears to be scope in the Hamilton Quarter of Birkenhead and elsewhere for conversion schemes to be promoted⁵⁸. Even so, the 1986-1995 past rate average of 74 units per year masks a lower average since 1992, of 44. It therefore seems to me that the Council's expectation that an average of 70 units per year will be made available by conversions in the residual period up to 2001 is somewhat optimistic. I propose to assume a rate of 50 units per year under this heading. This would result in a reduction of 120 (420 minus 300) in the total dwelling supply in the Revised Figure 3.

[See next page for conclusions on housing land supply]

⁵⁵ See the revised version of Figure 3 of the Written Statement (Appendix D to CD4). Past conversions as detailed in Tables 7 and 8 of CD4 (pp 40 & 45).

⁵⁶ As expressed in paragraphs 15 and 23 of PPG3 and paragraph 2.13 of the revised PPG6 *Town Centres and Retail Developments*.

⁵⁷ UDP Written Statement, paragraph 6.66.

⁵⁸ See *Housing Strategy for Wirral 1996-1997* (CD089), paragraphs 5.1 (p 12), 6.2 (p 14) and 6.8 (p 17).

Conclusions on Housing Land Supply

3.82 My consideration of the representations made about the identified housing supply suggest the following further amendments to Table 3⁵⁹ (my changes in italics):

(i) New Dwellings 1986-1995	
New build completions April 1996-March 1995	6173
Net change from conversions Apl 1986-Mar 1995	670
(ii) New build sites identified at March 31 1995	
Sites under construction > 0.4 ha	742
Units not started + under construction	
Sites not started > 0.4 ha	249 ⁶⁰
Units not started (with planing permission)	
Sites under construction > 0.4 ha	12
Units not started/under construction on UDP allocated sites	
Sites not started > 0.4 ha	802
Units not started on UDP allocated sites	
Sites not started > 0.4 ha	160
Units not started (lapsed consents)	
Sites under construction < 0.4 ha	290
Units not started + under construction	
Sites not started < 0.4 ha	549
Units not started (with planning permission)	
(iii) New build contribution from sites identified after March 31 1995	
<i>Sites > 0.4 ha</i>	300 ⁶¹
<i>Units not started on sites now recommended for UDP allocation</i>	
<i>Sites > 0.4 ha</i>	350 ⁶²
Units not started on other sites	
<i>Sites < 0.4 ha</i>	200*
Units not started	
(iv) Future net gain from conversions	300 ⁶³
* Figure amended as per page 51 of Council proof WMBC/P/19.	-----
TOTAL DWELLING SUPPLY 1986-2001	10797

⁵⁹ See CD4, Appendix D as amended by the note on page 51 of Council proof WMBC/P/19.

⁶⁰ See paragraphs 3.57 to 3.62 of this report.

⁶¹ See pages 131 and 135 of this report.

⁶² See paragraphs 3.73 to 3.77 of this report.

⁶³ See paragraphs 3.78 and 3.79 of this report.

3.83 From my assessment of the Council's land supply case⁶⁴ and my recommendations for additional allocations⁶⁵ outside the approved Green Belt I am satisfied that an increased requirement of 10,500 dwellings could reasonably be achieved. There would be a less generous margin of supply than the Council claim over the PPG11 requirement of 9500, but in my view greater assurance of supply because of the increased reliance on allocations. This would give an annual average requirement between 1995 and 2001 of 610, approximating to the build rate which has occurred since 1990.

3.84 Even if the Council's case for retaining the PPG11 housing requirement of 9500 for the present time were to prevail, there is in my view sufficient available land in the District to enable an annual average building rate to be maintained which approximately equals that which has occurred since 1990. This in my view is sufficient on its own to justify an increase in the housing requirement to 10500, having regard to the firm guidance in RPG13 about the extent to which an attempt should be made to satisfy the demand element⁶⁶.

3.85 However, the argument advanced by most of the Objectors is that the requirement should also be increased to satisfy need, particularly in terms of increasing household numbers. If this cause gains influence in the determination by the North West Regional Association of how much land needs to be provided for housing in Wirral in need terms, then the implication is that less land will be available to satisfy the 'demand' as distinct from the 'need' element. In these circumstances, consideration will have to be given to whether the demand component of the housing requirement should be reduced or set aside and if not, what additional land can be made available to satisfy that component within the larger urban areas of Wirral, having particular regard to the recently stated objective of national planning guidance of making effective use of land within urban areas by allocating the maximum amount of housing to previously developed sites within those areas⁶⁷.

3.86 I have no doubt that the Council will continue to monitor the availability of urban land for housing purposes carefully, and actively to promote such opportunities as present themselves. If however the supply of urban land falls short of what is required, then the question will be whether this justifies amendments to the Green Belt, bearing in mind that very little other land outside the Green Belt is available in Wirral. That situation in the context of a regional overview cannot realistically be a matter for the current UDP or this report, but it will in my view be a central question when the UDP is brought forward for review.

⁶⁴ See pages 26-33 of this report.

⁶⁵ See pages 131 and 135 of this report.

⁶⁶ PPG13, paragraph 6.9.

⁶⁷ PPG1 (1997), paragraph 24.

Inspector's Recommendation

3.87 I recommend that the UDP be modified -

- (a) by increasing the Housing Requirement in Policy HSG1 from 9,500 to 10,500 dwellings;**
- (b) by the replacement of Figure 3 (Sources of New Dwellings April 1986 to March 2001) by the table in Appendix D to Core Proof CD4, amended in the manner set out in Paragraph 3.82 above;**
- (c) by a review of the text of Paragraphs 6.1 to 6.13 of the Reasoned Justification for Policy HSG1, to take account where necessary of the increased Housing Requirement figure, the adjustments made to Figure 3, the additions recommended to land allocations under Proposal HS1 and any other significant changes in the land supply position since the close of the Inquiry.**

POLICY HSG2 - AFFORDABLE HOUSING

OBJECTIONS: 129/4 British Telecommunications plc 070/7 GO-M
071/1 Miss A Eagle MP 072/3 Mr F Field MP 070/7 GO-M

Summary of Objections

- 3.88 It would be wrong to seek an element of affordable housing on *all* housing development sites which may come forward within the UDP area. Reference should therefore only be made in Policy HSG2 to *allocated* sites (129/4). The Policy should give guidance as to what is meant by affordable housing and what level contribution would be expected from developers (071/1, 072/3).
- 3.89 The UDP should make it clear that the Council will seek units of affordable housing in cases where planning permission is sought for housing development on sites of over 0.5 hectare (071/1, 072/3).
- 3.90 Policy HSG2 should be supported by a Part II policy following the guidance in PPG3 *Housing*¹ (070/7).

Assessment and Conclusions

3.91 PPG3 refers to affordable housing policies applies to development 'on a substantial scale', but does not indicate that this approach should only apply to allocated housing sites; substantial windfall sites may become available, such as part of the Levers Factory site in Port Sunlight. The omission of reference to non-allocated sites in Policy HSG2 would therefore in my view weaken the ability of the Council to seek the provision of affordable housing in such cases, and the policy should not therefore be modified in this manner.

3.92 The Council proposes a Part II policy (HS3A)², which lays down the principles on which the provision of affordable housing will be negotiated with developers. This policy includes reference to the appropriate size of housing site to which such negotiations would apply, and is discussed elsewhere in this report³. Policy HS3A(i) includes a definition of affordable housing. It would be difficult in my view to prescribe in the UDP what level of contribution should be made by developers; this is a matter better left to the negotiations.

Inspector's Recommendation

3.93 I recommend that no modification be made to Policy HSG2 in response to Objections 129/4, 071/1 and 072/3.

¹ PPG3, paragraphs 38 and 39.

² ALT/HOUSING/004 (CD56, page 35)

³ See page 109.

POLICY GBT1 - GREEN BELT BOUNDARIES

OBJECTIONS: 081/8 HBF 213/1 Ianglen Ltd* 108/2 Land Planning in Partnership Ltd*
052/1 Manchester Ship Canal Company*
061/1 & 061/3 Mulberry Properties (Noctorum) Ltd* 082/4 North West Water Ltd*
125/1 Redrow Homes*
062/1, 062/3 & 062/5 Redrow Homes (Northern) Ltd*
010/1 Mr A Royle* 127/5, 127/7 & 127/8 Wirral Wildlife*
214/1 Simpson Curtis (Trustees of Land off Pump Lane, Greasby)*
046/2 & 046/3 Wimpey Homes Ltd*
019/3 Mr J Robinson* 092/2 Mr A Royle* 018/1 Miss A O'Hare*

Summary of Objections

- 3.94 (i) There is no evidence that the Council have taken account of longer term development needs in determining the boundaries of the Green Belt.
- (ii) Specified land should be taken out of the approved Green Belt (213/1, 108/2, 052/1, 061/1, 061/3, 082/4, 010/1, 214/1, 046/2, 046/3, 019/3, 052/1, 092/2, 018/1, 125/1)*.
- (iii) Specified land should be added to the approved Green Belt (127/5, 127/7, 127/8)*.

* These representations are considered in detail according to their individual circumstances, in Chapter 7 of this report. Objections 052/1, 062/1 and 125/1 are considered as if they relate to Policy GB1 and are therefore also dealt with in Chapter 7.

Assessment and Conclusions

3.95 As PPG2 *Green Belts* makes clear¹, the essential characteristic of Green Belts is their permanence. In relation to the Merseyside Green Belt this was reinforced in the now superseded PPG11 *Strategic Guidance for Merseyside*², and this guiding principle is now taken forward to 2011 by RPG13 *Regional Planning Guidance for the North West*³.

3.96 In the Wirral the approved Green Belt originated as part of the West Cheshire Green Belt, and has subsequently been taken forward through the Merseyside Structure Plan and the Merseyside Green Belt Local Plan. It clearly serves four of the five purposes set out in PPG2⁴. It checks the unrestricted sprawl of large built-up areas, prevents neighbouring towns from

¹ PPG2, paragraph 2.1.

² PPG11, paragraph 8.

³ RPG13, paragraphs 3.9 and 3.10.

⁴ PPG2, paragraph 1.5.

merging, assists in safeguarding the countryside from encroachment and assists in urban regeneration, a prime objective which underlies planning policy in this area. No representations have been received in relation to the UDP which would suggest that the fundamental role of the Wirral Green Belt should change in the foreseeable future.

3.97 RPG13 envisages no need on present evidence for a general review of the Green Belt in order to identify land to meet long term development needs⁵. The RPG emphasises that in order to continue to achieve the objective of urban regeneration, the extent (and here I interpret the guidance as meaning the *general* extent) of the Region's Green Belts should be maintained for the foreseeable future⁶. The only change to this approach might occur if the further work requested of the Regional Association in the RPG suggested proposed increased new dwelling requirements which could not be accommodated without a review the boundaries of the Green Belt⁷. For the purpose of this report therefore, I consider that the enduring principle underlying the consideration of any proposal to add land to the Green Belt or to take land away from the Green Belt as part of the current UDP process should be whether or not the exceptional circumstances referred to in PPG2 can be demonstrated.

3.98 As to the charge that the Council have failed to give adequate consideration to development needs both up to and beyond the end of the UDP period of 2001, these matters are addressed elsewhere in this report⁸. I am, however on the evidence satisfied that such needs are not in themselves of such great magnitude as to justify a departure from the fundamental principle discussed above that the general extent of the Green Belt should be maintained for the foreseeable future.

Inspector's Recommendation

3.99 I recommend that no modification be made to the UDP so far as Policy GBT1 and its Reasoned Justification are concerned, but that adjustments to the Green Belt boundaries as shown on the Proposals Map be made in accordance with recommendations in Chapter 7 of this report⁹.

⁵ RPG13, paragraph 3.9.

⁶ RPG13, paragraph 3.10.

⁷ RPG13, paragraph 6.7.

⁸ See pages 18 to 35 of this report.

⁹ See pages 123, 127, 131, 135 and 156 of this report.

POLICY GRE1 - THE PROTECTION OF URBAN GREENSPACE
Written Statement Paragraph 8.6

OBJECTIONS: 081/15, [081/16, 081/17] House Builders Federation
215/31 Wirral Green Belt Council

Summary of Objection

3.100 If a tight Green Belt is retained around the urban periphery with urban restraint through rigorous and inflexible application of Greenspace policies, the scope for housing development opportunities necessary to meet requirements will be curtailed (081/15-17). The words 'unless the local planning authority is satisfied that the local supply of recreational and amenity open space remains adequate' should be omitted from Paragraph 8.6 of the Reasoned Justification for Policy GRE1 (215/31).

Assessment and Conclusion

3.101 I deal with the interaction between Green Belt and housing land requirements elsewhere¹. As for Greenspace, its importance is emphasised in PPG17 *Sport and Recreation*². The UDP housing land supply and further supply recommended in this report do not entail the material loss of any land identified as Urban Greenspace. I consider that the UDP represents a reasonable balance between the need to identify land for development and the need to protect important areas of open land within the Borough's urban areas. Indeed, Policy GRE1 does not impose an absolute embargo on the development of such land; as the proposed revision to Paragraph 8.1³ of the Reasoned Justification makes clear, the Local Planning Authority would have to be satisfied as to the adequacy of the local supply of recreational and amenity open space before granting planning permission for development affecting land designated as Greenspace.

3.102 I therefore support the Council's case for retaining the wording referred to in Objection 215/31. The intention that Policy GRE1 should not confer a total ban on the development of urban green space is consistent with PPG17⁴. The statement which is the subject of the Objection is proposed to become part of paragraph 8.1 of the Written Statement.

Inspector's Recommendation

3.103 I recommend that the UDP be modified by the amendment of Policy GRE1 and its Reasoned Justification in accordance with ALT/GREENSPACE/001, but that no other modification be made in response to Objections 081/15-17 and 215/31.

¹ See pages 37 and 38 of this report.

² PPG17, paragraphs 2 to 4.

³ ALT/GREENSPACE/001 (CD056, page 61).

⁴ PPG17, paragraph 27.

POLICY REC1 - PRINCIPLES FOR SPORT AND RECREATION

OBJECTIONS: 070/47 GO-M 121/1 MAFF 122/2 Rural Development Commission
COUNTER-OBJECTION : 121/B MAFF

Summary of Objections

- 3.104 'Normally' should be removed (070/47). The Policy would be too restrictive in rural areas. It would be inappropriate to restrict provision to outdoor sports; some indoor provision should be made (121/1, 122/2). The amended Policy¹ does not fully reflect that appropriate new building may sometimes be required (121/B).

Assessment and Conclusions

3.105 Most of the Wirral countryside is in the Green Belt, where 'appropriate development'² includes essential facilities for outdoor sport and recreation. This could include small changing rooms or unobtrusive spectator accommodation, or small stables³. The use of buildings in a Green Belt is not 'inappropriate'⁴. The published change to Policy REC1 omits 'normally' and gives scope for indoor sports or recreational provision in rural areas. The amended policy does not expressly indicate that small buildings of the type suggested will be permitted, but refers to 'facilities for outdoor sport and outdoor recreation', which could include such buildings.

3.106 New building in urban areas would be consistent with the policy. Proposals in infill villages would be subject to Policy GB6⁵. Proposals in villages 'washed over' by the Green Belt or in the countryside; would be subject to Green Belt policy. Any built development that might not preserve the openness of the Green Belt would be contrary to policy, and there is therefore no justification in my view for extending the scope of the policy to embrace that type of development. In the Green Belt, exceptional circumstances outweighing the harm done to the Green Belt would need to be shown. I do not therefore consider that the changes to Policy REC1 should go any further than those proposed by the Council.

Inspector's Recommendation

3.107 I recommend that the UDP be modified by the amendment of Policy REC1 in accordance with ALT/RECREATION/001, but that no other modification be made in response to Objections 121/1 and 122/2 and Counter-objection 121/B.

¹ ALT/RECREATION/001 (CD056, page 92)

² As specified in PPG2 *Green Belts*, paragraph 3.4.

³ PPG2, paragraph 3.5.

⁴ In the circumstances specified in PPG2, paragraph 3.8.

⁵ As proposed to be amended by ALT2/GREEN BELT/006 (CDO57, p 10)

POLICY TLR1 - PRINCIPLES FOR TOURISM DEVELOPMENT
POLICY CHO1 - THE PROTECTION OF HERITAGE

OBJECTIONS: 070/58, 070/65 GO-M 121/2 MAFF
122/3 Rural Development Commission

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

Summary of Objections

- 3.108 The word 'normally' should be deleted from the Policies (070/58, 070/65). Policy TLR1 fails to give clear guidance and is too restrictive in restricting tourism to that directly related to the countryside (121/2). It would prevent new uses and attractions occurring in rural areas and would thereby inhibit the diversification of the rural economy (122/3).
- 3.109 Policy TLR1 should include an additional choice of locations for new tourism development, with particular reference to contaminated sites, and an explicit reference to which PPG should be consulted (090/A)¹.

Assessment and Conclusions

3.110 The Council propose changes to Policies TLR1 and CHO1² and also to propose to simplify the supporting text to Policy TLR1 (paragraph 10.10)³. The amended policy omits 'normally' and makes more specific reference to the Green Belt, consistent with the guidance in PPG2 *Green Belts*⁴, whilst allowing more flexibility in terms of the range of uses which might be accommodated outside the three areas (i) to (iii) mentioned.

Inspector's Recommendation

3.111 I recommend that the UDP be modified by the amendment of Policies TLR1 and CHO1 and paragraph 10.10 of the supporting text to Policy TLR1 in accordance with ALT/TOURISM/001 and 002 and ALT/HERITAGE/001, but that no modification be made in response to Counter-objection 090/A.

¹ The Council submit that these representations are not 'duly made', as they do not relate to the proposed amendments to Policy TLR1 published under ALT/TOURISM/001 (see Footnote 2 below), but to the original policy in the deposit UDP. The Objector conceded this at the inquiry, and I shall therefore give no further consideration to the representations.

² ALT/TOURISM/001 (CD056, page 114) and ALT/HERITAGE/001 (CD056, page 128).

³ ALT/TOURISM/002 (CD056 p 115)

⁴ PPG2, paragraphs 3.4 and 3.5.

POLICY AGR1 - THE PROTECTION OF AGRICULTURE

OBJECTIONS: 047/1 Bryant Homes Ltd 070/86 GO-M 081/11 HBF

COUNTER-OBJECTIONS: 070/BB GO-M 121/C MAFF 215/BB Wirral Green Belt Council

Summary of Objections

- 3.112 'Normally' should be omitted (070/86). Policy AGR1 should reflect national guidance on the protection of the best and most versatile agricultural land and, if development on such land is required, use of land of the lowest classification (047/1, 070/BB, 121/C, 215/BB). The policy is too rigid, precluding consideration of the merits of types of 'hard' development, or other material considerations (081/11).

Assessment and Conclusions

3.113 Policy AGR1 has been subject to 3 proposed changes¹. The first omitted 'normally', introduced textural improvements and guidance on consideration of development proposals unavoidably located on Grade 1, 2 and 3a agricultural land. In my view this version adequately protects the best agricultural land but allows for circumstances in which there is a clear case for development on such land because of other material considerations. Any more permissive regime would to my mind result in inadequate protection of the best agricultural land.

3.114 The second change removed the concluding proviso relating to 'unavoidable' development, following Counter-objection 121/C which argued that the proviso significantly weakened protection. This deletion was the subject of a further Counter-objection (070/BB). I agree that the proviso should be in the policy; it reflects guidance in PPG7 *The Countryside - Environmental Quality and Economic and Social Development*². Its presence does not in my view weaken the approach to the control of development on agricultural land in the Policy and in PPG7³ that the best and most versatile land should be protected.

3.115 Counter-objection 215/BB argues against the use of 'irreversible' in relation to the loss of agricultural land. The word was omitted in the first change but reinstated and retained thereafter. Its use does not in my view weaken protection of agricultural land; it merely recognises that the temporary use of agricultural land for other purposes appropriate to a rural area may be acceptable, given *setaside* and other factors influencing farm management.

Inspector's Recommendation

3.116 I recommend that the UDP be modified by the amendment of Policy AGR1 in accordance with ALT3/AGRICULTURE/001.

¹ ALT/AGRICULTURE/002 (CD056 page 162), ALT2/AGRICULTURE/001 (CD057 page 18) and ALT3/AGRICULTURE/001 (CD205 page 5)

² PPG7 (1997), paragraph 2.18.

³ PPG7 (1997), paragraph 2.17.

POLICY NCO1 - PRINCIPLES FOR NATURE CONSERVATION

Written Statement Paragraph 13.5

POLICY LAN1 - PRINCIPLES FOR LANDSCAPE

OBJECTIONS: 070/94, 070/99 GO-M 080/11 Cheshire Wildlife Trust 121/3 MAFF
126/1 Mersey Estuary Conservation Group
122/4 Rural Development Commission
127/15 Wirral Wildlife
215/10, 215/65, 215/66 Wirral Green Belt Council 216/1 RSPB

Summary of Objections

- 3.117 The word 'normally' should be deleted from Policies NCO1 and LAN1 (070/94, 070/99). The use of the word 'irreversible' weakens Policy NCO1, and 'critical natural capital' and 'non-critical natural capital' or 'adversely affect' should be used instead. The policy should also distinguish between areas of 'special local importance' and other areas of local importance (080/11, 126/1, 127/15, 216/1).
- 3.118 Policy NCO1 does not distinguish between the various classifications of site, the same level of protection appearing to be given to international and local sites. The use of the words 'which can be demonstrated to have' could weaken control over sites already recognised as of national or international importance (121/3, 122/4, 216/1).
- 3.119 Policy NCO1 should explicitly refer to the possibility of a proposal having an *indirect* impact on natural conservation sites (126/1).
- 3.120 Policy NCO1 should be replaced by one based on the use of natural conservation orders, which could be put into action quickly. If Policy NCO1 is to be retained, it should clearly indicate that where there is conflict with other interests, nature conservation interests will take precedence. Paragraph 13.5 of the supporting text needs strengthening. (215/10, 215/65, 215/66).

Assessment and Conclusions

3.121 The Council accept that 'irreversible' should be deleted from Policy NCO1. They have preferred the use of the words 'adversely affect' to 'critical/non-critical natural capital'. I agree that the use of the latter terms may lead to difficulties in interpretation and those terms are, in any event, less familiar to many who will use the UDP. The Council have published changes to the Policies NCO1 and LAN1¹ which deal with these matters, omit 'normally' and also provide greater precision and due status so far as sites with different levels of designation

¹ ALT/NATURE/001 (CD056 p 170) and ALT/LANDSCAPE/001 (CD056, page 183).

are concerned, taking into account the guidance in paragraphs of PPG9 *Nature Conservation*². The amended policy also takes into consideration the indirect as well as the direct effects of development proposals.

3.122 Policy NCO1 as proposed to be amended seems to me to be a reasonable application in development plan terms of the relevant guidance in PPG9 and a reflection of the 'tiered' approach to nature conservation designations. The Council's response to the suggestion that an alternative policy based on the use of orders be substituted convinces me that such orders, or a policy based upon them, would not have the effective scope suggested by the Objector. Other controls may be available through the imposition of conditions of planning permission or by means of agreements.

3.123 As for the suggestion that Policy NCO1 should make it clear that nature conservation interests should take precedence over all other considerations, this is a judgement which in my view would be inappropriately expressed in a general policy, and should rather be made in the context of site specific circumstances and proposals. In all these circumstances I conclude that there is no basis for changing the approach of Policy NCO1, in the light of the amendments now proposed by the Council.

3.124 The Council has also proposed changes to paragraph 13.5 of the supporting text to Policy NCO1³. These reflect the changes proposed to the policy itself, reference to 'compensatory measures' raised in Objection 215/66 being removed. I am satisfied that with the proposed changes this paragraph clearly supports the amended policy, and that no further changes are necessary.

Inspector's Recommendation

3.125 I recommend that the UDP be modified by the amendment of Policies NCO1 and LAN1 and paragraph 13.5 of the Written Statement in accordance with ALT/NATURE/001 and ALT/LANDSCAPE/001, but that no other modification be made in response to Objections 080/11, 121/3, 126/1, 122/4, 127/15, 215/10, 215/65, 215/66 and 216/1.

² PPG9, paragraphs 18 and 25.

³ ALT/NATURE/001 (CD056, p 170)

POLICY TRT1 - PROVISION FOR PUBLIC TRANSPORT
Written Statement Paragraphs 15.1 to 15.5

OBJECTIONS: 085/1 Friends of the Ferries
122/5 Rural Development Commission 116/1 Mr J M Ryan
COUNTER OBJECTION: 070/** GO-M
[** no number allocated]

Summary of Objections

- 3.126 The Reasoned justification for Policy TRT1 should state that the local planning authority supports improvements to the ferry service from the Woodside and Seacombe Terminals to Liverpool Pierhead to give a direct crossing throughout the day, together with improved integration of bus and ferry timetables and restrictions on the use of the terminal car parks to enable full use by ferry passengers and visitors (085/1).
- 3.127 A further criterion should be added to the Policy requiring that developments be considered in terms of the support they might give for public transport in rural areas of the Borough (122/5).
- 3.128 The words 'longer term' should be omitted from the Policy (116/1).
- 3.129 The Policy as proposed to be amended¹ and Reasoned Justification fail to take proper account of the guidance in PPG13 *Transport*. In particular, no specific mention is made of the aim of reducing the need to travel, especially by car, nor of that to give support for alternative transport modes (070/**)²

Assessment and Conclusions

- 3.130 The current ferry service between Pierhead and the Birkenhead terminals has been modified in recent years to provide a direct link across the Mersey Estuary only at the morning and evening peak times. At other times of day the service provided appears more of tourist or recreational value and involves a circuitous route between the three terminals.
- 3.131 Only very generalised evidence was available at the enquiry about the merits or otherwise of changing the present level and nature of the ferry service. The Council's evidence that even if the service were made more frequent and direct, no land use changes would be

¹ ALT/TRANSPORT/001 (CD056, p 195).

² The Council consider this Counter-objection not to be duly made, because it is in essence an Objection to the original Policy TRT1, in respect of which the Objector did not make a duly made Objection at the Deposit Stage (a point which the Objector disputes). Whatever the merits of the 'duly made' argument, the Counter-objection does raise an important issue as to whether or not the UDP adequately reflects the guidance in PPG13. I therefore propose to consider it in this report.

required at the Seacombe and Woodside Terminals, was not challenged. It seems to me that any changes to the operation of the Terminal car parks to give greater capacity by ferry users would be operational in nature. None of these changes of circumstance would require any amendment to be made to the UDP Proposals Map.

3.132 As paragraph 15.5 of the Written Statement points out, the main function of the UDP in public transport provision is to provide the land use context within which service maintenance and enhancement can take place. Policy TRT1 is a strategic policy, and the supporting text is expressed appropriately. Reference is made to the role, responsibilities and functions of the Merseyside Passenger Transport Authority and Executive (Merseytravel). There is mention of a need for a high level of co-operation between the Council as local planning authority and Merseytravel, and for a cheap, reliable and efficient public transport system. Whilst I am sure that the ferry service is an important part of the range of services provided it seems to me that its role as such is by implication fully taken into consideration in paragraphs 15.1 to 15.6. I therefore do not regard the additional paragraph of text put forward in Objection 085/1 as necessary or appropriate.

3.133 It is clear to me that all rural areas of the Borough are close or relatively close to urban areas. I accept that by and large, the bus and rail services linking the eastern and western urban areas provide a not insignificant service to the intervening rural area. Given the generality of Policy TRT1 I see no need for special reference to rural areas in the manner requested in Objection 122/5. The Council agree that the words 'longer term' should be removed from the Policy, and propose to change it accordingly³. I accept that these words are not necessary for and may cause difficulties in respect of the clarity and effectiveness of the Policy.

3.134 In my view Policy TRT1 which focuses on public transport issues does respect the guidance in PPG13. However, I consider that paragraph 15.1 could helpfully emphasise the key aim of the PPG in terms of reducing motorised journeys, encouraging alternative means of travel and reducing reliance on the private car. I suggest an appropriate insertion into paragraph 15.1.

Inspector's Recommendation

3.135 I recommend that the UDP be modified -

(a) by the amendment of Policy TRT1 in accordance with ALT/TRANSPORT/001 and

(b) by the insertion of 'Land use policies and transport programmes should help to reduce growth in the length and number of motorised journeys, encourage alternative means of travel which have less environmental impact, and hence reduce reliance on the motor car' between the second and third sentences of paragraph 15.1 of the Written Statement.

³ ALT/TRANSPORT/001.

POLICY TRT2 - SAFEGUARDING LAND FOR HIGHWAYS SCHEMES

Written Statement Paragraph 15.17

OBJECTIONS: 032/1, 032/2 The Heswall Society 070/104 GO-M
100/3 Wirral Society and Heswall Society

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

Summary of Objections

- 3.136 The word 'normally' should be deleted from Policy TRT2 (070/104).
- 3.137 Road schemes included in the UDP are not sufficiently justified, a role which is carried out by the Transport Policies and Programme (TPP); paragraph 15.17 should be revised or deleted (032/2). There is no justification in the UDP for the road bypass and road improvement schemes shown on the Proposals Map. The proposals shown also lack clarity and detail, and cannot therefore be reliably examined and tested (032/1, 100/3).
- 3.138 The safeguarding of land for new highways schemes should be shown on the Proposals Map, as it is important to transport infrastructure (090/H)¹.

Assessment and Conclusions

3.139 A published change to Policy TRT2 omits 'normally'². It seems to me that the road schemes shown on the Deposit version of the UDP Proposals Map and in subsequent published changes conformed to the statement in PPG11 *Strategic Guidance for Merseyside* that the UDP should define the main road network and identify proposed new links and major improvements³. This guidance is also found in PPG12 *Development Plans and Regional Planning Guidance*⁴.

3.140 The Council point out that all the major schemes have planning permission and are under construction. The need for or alignment of such schemes cannot therefore be considered as part of the UDP process⁵. Minor schemes may not require planning permission.

¹ This Counter-objection relates to the change to Policy TRT2 published under ALT/TRANSPORT/006 (see Footnote 2 below). The Council submit that these representations do not arise out of the proposed amendments to the Policy, and are therefore not 'duly made', a point conceded by the Objector at the Inquiry. I shall therefore give no further consideration to the Counter-objection.

² ALT/TRANSPORT/006 (CD056, page 200).

³ PPG11, paragraph 24. PPG11 has been replaced by RPG13 *Regional Planning Guidance for the North West*.

⁴ PPG12, paragraphs 5.28 and 5.30.

⁵ This explicit guidance may be found in PPG12, paragraph 5.32.

3.141 There is no requirement for the UDP to show the schemes in more detail than is shown on the Proposals Map; planning applications would provide the detail and clarity to enable those affected to examine and if necessary make representations to the Council as planning or highway authority. I do not therefore consider that any change to the manner in which the schemes are represented in the UDP Written Statement or on the Proposals Map is justified.

Inspector's Recommendation

3.142 I recommend that the UDP be modified by the amendment of Policy TRT2 in accordance with ALT/TRANSPORT/006, but that no modification be made in response to Objections 032/1, 032/2 and 100/3 and Counter-objection 090/H.

POLICY SHO1 - PRINCIPLES FOR NEW RETAIL DEVELOPMENT

Written Statement Paragraph 16.5

OBJECTIONS: 070/18 GO-M 072/8 Frank Field MP 083/1 J Sainsbury plc
084/9 Merseyside Development Corporation
094/1 Somerfield Stores Ltd

COUNTER-OBJECTIONS: 094/A Somerfield Stores Ltd 095/A B & Q plc

Summary of Objections

- 3.143 The policy should be more positively worded, referring more simply to the objectives of maintaining the vitality and viability of the Borough's town centres and to protecting existing shopping provision generally (083/1).
- 3.144 The Policy's criteria for considering retail proposals are too narrow, and should include in addition the need to ensure the availability of a wide range of shopping opportunities to which people have easy access, and the effect of new retail development on overall travel patterns and on car use (070/18).
- 3.145 The Policy should make it clear that planning gain will be sought from developers as under Policy URN2, so far as is reasonable and appropriate (072/8).
- 3.146 Paragraph 16.5 of the Written Statement should be amended to refer to the proposal (now represented as Proposal SH1a) that land at Green Lane, Tranmere be allocated for non-food shopping development (084/9).
- 3.147 The wording of the policy could be improved to bring it into line with Policies SH1 and SH2 (094/1). A further change to the wording of the Council's amended Policy SHO1¹ would better reflect the evolution of Government policy since 1993 (095/A).

Assessment and Conclusions

3.148 The Council has published 2 changes to Policy SHO1 which are intended to meet the criticisms raised in Objection 083/1², whilst also responding to suggested improvements made in Objection 094/1 and Counter-objection 094/A. I am satisfied that the revised Policy gives full support to the Government's objectives set out in PPG6 *Town Centres and Retail Developments* (June 1996), and in particular to those of sustaining and enhancing the vitality and viability of town centres and ensuring that there is a wide range of shops, employment, services and facilities to which people have easy access by a choice of means of transport³.

¹ ALT/SHOPPING/001 (CD56 p 218).

² ALT/SHOPPING/001 (as above) and ALT2/SHOPPING/001 (CD057, p 30).

³ PPG6, paragraph 1.1.

3.149 It follows to my mind that in terms of range of provision and ease of access the amended Policy also satisfies the principal view expressed in Objection 070/18. That Objection also however includes reference to the need to consider the impact of retail development on overall travel patterns and on car use. I support the Council's view that this is catered for in the UDP not by means of Policy SHO1, but instead by the Part II Policies SH1, SH2 and SH9⁴. I do not therefore consider that any further amendment to Policy SHO1 or its supporting text is necessary on this account.

3.150 As the Council point out, planning gain is expressly referred to with reference to Section 106 obligations⁵ in another strategic policy, URN2⁶. The Reasoned Justification for this Policy (as proposed to be amended⁷) provides a clear statement as to what the parameters for such agreements are, and such parameters appear to be consistent with the broad principles set out in Circular 1/97 *Planning Obligations*⁸. Nevertheless, agreements could potentially arise in a range of circumstances, and for this reason it would in my view be inappropriate to make an express *additional* reference to them in connection with Policy SHO1 as suggested in Objection 072/8. This does not detract from the possibility that Section 106 obligations may often be sought or offered in relation to retail developments.

3.151 Referring to the proposed non-food retail site at Green Lane, Tranmere represented by Proposal SH1a⁹, I deal with the merits of this proposal elsewhere¹⁰.

Inspector's Recommendation

3.152 I recommend that the UDP be modified by the amendment of Policy SHO1 and Paragraphs 16.1 to 16.7 of the Reasoned Justification in accordance with ALT2/SHOPPING/001 and ALT2/SHOPPING/002¹¹.

⁴ Policy SH1 - Criteria for Development in Key Town Centres; Policy SH2 - Criteria for Development in Traditional Suburban Centres; Policy SH9 - Criteria for Out-of-Centre Retail Development.

⁵ Town and Country Planning Act 1990, as amended.

⁶ Policy URN2 - Planning Agreements for Urban Regeneration.

⁷ ALT/URBAN REGENERATION/001 (CDO56, p 2).

⁸ Circular 1/97, paragraphs 5 to 8.

⁹ ALT2/SHOPPING/002 (CD057, pp 31-32).

¹⁰ See pages 312 to 322 of this report.

¹¹ For Proposal SH1a and Written Statement paragraphs 16.8 and 16.9, see Footnote 10 above.

POLICY WMT1 - LANDFILL PROVISION

Written Statement Paragraphs 17.2, 17.4, 17.5 and 17.6

OBJECTIONS: 219/1 Cheshire County Council
045/1 Merseyside Waste Disposal Authority
[Objections 045/1a, 045/1c and 045/1e were withdrawn on 6 December 1995].

Summary of Objections

- 3.153 The Policy is based on the 1989 Merseyside Waste Disposal Plan (MWDP), and does not take into account the waste management hierarchy outlined in PPG23 *Planning and Pollution Control*; the reference to the Borough's Waste Disposal Strategy should be deleted; more emphasis should be given to alternatives, in accordance with PPG23 (219/1). The Policy does not accord with the guidance in PPG11 *Strategic Planning Guidance for Merseyside*¹, in that 'areas suitable and unsuitable for waste disposal by landfill' have not been identified in the UDP (045/1b).
- 3.154 There are inaccuracies in paragraph 17.2 of the Reasoned Justification regarding the role of the Merseyside Waste Disposal Authority and successor bodies². The reference to the MWDP in paragraph 17.4 is simplistic and misrepresentative. The statement in paragraph 17.5 should be more specific, the Council's Waste Disposal Strategy not being explained. Paragraph 17.6 of the Reasoned Justification should make reference to the licensed waste disposal site at Carr Lane, Meols (045/1d/f/g/h).

Assessment and Conclusions

3.155 The published changes³ to the text supporting Policy WMT1 and Proposal WM1⁴ respond to Objections 045/1d, f, g and h. They appear to satisfy the points raised, although paragraph 17.2 should be further updated now that the Environment Agency has been set up. So far as comparison between the MWDP and the current guidance in PPG23 is concerned, I accept that the UDP has to reflect existing planning permissions for landfill sites which extend towards the end of the plan period and beyond. So whilst landfill may be seen as 'a final option', it will remain an important means of waste disposal. PPG23 accepts that the balance between landfill and other types of waste disposal will vary from area to area, and that policy will be influenced in part by the current pattern of waste disposal⁵.

¹ This guidance was cancelled upon the publication of RPG13 Regional Planning Guidance for the North West in June 1996.

² The Merseyside Waste Regulation Authority until 31 March 1996; the Environment Agency from 1 April 1996.

³ ALT/WASTE/001 (CD056, p 251), ALT/WASTE/002 (CD056, p 252), ALT/WASTE/003 (CD056, p 253) and ALT/WASTE/006 (CD056, p 256).

⁴ Proposal WM1 - Landfill Waste Disposal Sites.

⁵ PPG23, paragraph 2.24.

3.156 The proposed alteration to paragraph 17.4 of the Reasoned Justification⁶ still bases its thrust on the MWDP's preference for landfill, although more detail is proposed to be added regarding alternative means of disposal. PPG11 advised local authorities to have regard to the MWDP when preparing UDP policies⁷. RPG13 repeats that advice, and mentions the role that landfill and landraising schemes can play in positively contributing to landform and landscape quality⁸. I do not therefore consider the continuing emphasis given to landfill to be out of place, despite technological advances which continue to be made in the development of alternative means of disposal. The need for any change to the balance of means of disposal should, of course, be considered upon review of the UDP.

3.157 RPG13 and PPG23 emphasise the need for development plan provisions for the disposal and management of waste to be sustainable⁹. The amended Policy WM2¹⁰ provides comprehensive criteria for consideration of landfill waste disposal sites, which seems to be to embody many of the principles of sustainable development. Thus the landfill emphasis in Policy WMT1 is applied in Part II of the Plan in a manner which takes on board such objectives. Policies WMT2, WM4, WM6 and WM7¹¹ deal with alternative or complementary means of waste disposal; these policies could be further developed and extended if future waste disposal and management techniques demanded such a course. Policy WM9¹² and its supporting text addresses the need to identify future areas for sewage sludge disposal, identified in RPG13¹³. The 'sustainability' ethos should also be part of the Borough's Waste Disposal Strategy. I see no objection to reference to that Strategy in Policy WMT1, provided that the Strategy is regularly reviewed, about which I have no evidence to the contrary.

3.158 PPG11 stated that UDPs should indicate where landfill would not be suitable and areas where new landfill opportunities might be examined¹⁴. The replacement guidance in RPG13 is not so specific, and I accept the Council's view that it does not impose an imperative to specify areas of unsuitability or potential on the Proposals Map, especially where substantial

⁶ ALT/WASTE/002.

⁷ PPG11, paragraph 22.

⁸ RPG13, paragraph 4.34.

⁹ RPG13, paragraph 4.34; PPG23, paragraph 2.2.

¹⁰ ALT/WASTE/007 (CD056, p 257) and ALT/WASTE/008 (CD056, p 258).

¹¹ Policy WMT2 - Recycling and Re-Use of Waste Materials; Policy WM4 - provision of recycling Collection Areas; Policy WM6 - Criteria for Waste Transfer Stations; Policy WM7 - Criteria for Clinical and Chemical Waste Incinerators.

¹² Policy WM9 - Criteria for Sewage Sludge Facilities.

¹³ RPG13, paragraph 4.30.

¹⁴ PPG11, paragraph 22.

operational landfill capacity has been identified in the UDP¹⁵. I see no need further to amend either the UDP Written Statement or Proposals Map in these circumstances.

Inspector's Recommendation

3.159 I recommend that the UDP be modified by the amendment of Policy WMT1 and Paragraphs 17.2, 17.4 and 17.5 of the Reasoned Justification in accordance with ALT/WASTE/001, ALT/WASTE/002 and ALT/WASTE/003 subject to the further amendment of paragraph 17.2 to reflect the current role of the Environment Agency, but that no other modification be made in response to Objections 219/1 and 045/1.

¹⁵ Proposal WM1, as amended by ALT/WASTE/004 (CD056, p 254), ALT/WASTE/005 (CD056, p 255) and ALT/WASTE/006 (CD056, p 256).

POLICY WMT2 - RECYCLING AND RE-USE OF WASTE MATERIALS
Written Statement Paragraphs 17.17, 17.18, 17.20 and 17.22

OBJECTIONS: 070/118, 070/170 GOM 045/5 Merseyside Waste Authority

Summary of Objections

- 3.160 The word 'normally' should be deleted from the Policy (070/118). Consideration should be given as to whether paragraph 17.20 represents a pollution control, rather than a planning matter (070/170). The statement is not justified, there being no reason to suppose that emission standards are not technically achievable (045/5).
- 3.161 Paragraph 17.17 - little guidance is given on the areas/types of land suitable or unsuitable for landfills, waste reception centres or recycling facilities. These should be the subject of Part II policies (045/5). Paragraph 17.18 - the 25% target for recycling is not a statutory duty, but there is a statutory duty to produce a Recycling Plan (045/5). Paragraph 17.22 - there is no reference to the environmental problems that can be associated with recycling, including the recycling facility itself (045/5).

Assessment and Conclusions

3.162 Published changes appear to satisfy most of the matters raised by the Objectors¹. No Counter-objection has been received to the statement in amended paragraph 17.20² that it believes that facilities for the incineration of municipal waste are not required during the Plan period. I consider that Policies WMT1 and WMT2 and the Part II Policies or Proposals WM1, WM2, WM4 and WM5³ provide adequate general assistance to developers and others seeking guidance on whether a particular means of waste disposal is likely to be acceptable. I accept however that more specific guidance might need to be sought from the developer when detailed information about the proposed development was available. The UDP adopts in part a criteria based approach, but Proposal WM1 is site specific and Policy WM4 clear in its reference to specific types of site, and I do not see any need to suggest any further changes to paragraphs 17.17 to 17.22 of the Written Statement.

Inspector's Recommendation

3.163 I recommend that the UDP be modified by the amendment of Policy WMT2 in accordance with ALT/WASTE/007 and of Paragraphs 17.18, 17.20 and 17.22 of the Reasoned Justification in accordance with ALT/WASTE/012, 013 and 014.

¹ ALT/WASTE/011 (CD056, page 261), ALT/WASTE/012 (CD056, p 262), ALT/WASTE/013 (CD056, p 263) AND ALT/WASTE/014 (CD056, p 264).

² ALT/WASTE/013, as above.

³ Policy WMT1 - Landfill Provision; Proposal WM1 - Landfill Waste Disposal Sites; Policy WM2 - Criteria for Landfill Waste Disposal Sites; Policy WM4 - Provision of Recycling Collection Areas; Policy WM5 - Criteria for Waste Reception Areas.

POLICY MIN1 - MAINTAINING MINERALS SUPPLY
POLICY MIN2 - SAFEGUARDING MINERAL RESERVES
POLICY MIN3 - RESTORATION & AFTERCARE OF MINERAL EXTRACTION SITES - Written Statement Paragraph 18.4

OBJECTIONS: 070/22, 070/120 & 070/172 GOM 121/19 MAFF
119/4 National Museums and Art Galleries on Merseyside

Summary of Objections

- 3.164 The ten year land bank requirement in Policy MIN1 goes beyond the seven years advised in MPG6 *Guidelines for Aggregates in England*¹, although a longer period land bank may be appropriate for crushed rock.
- 3.165 The word 'normally' should be omitted from Policies MIN1 and MIN2.
- 3.166 Paragraph 18.4 of the Written Statement focuses on the restoration and aftercare of sites in or near areas of constraint, and should instead reflect more the general nature of Policy MIN3. It should be made clear that any site on the best and most versatile agricultural land should be returned to agricultural use and restored to the same quality.
- 3.167 Policy MIN3 or its Reasoned Justification should make reference to sites of archaeological importance.

Assessment and Conclusions

3.168 The Council have accepted the representations in paragraphs 3.157 to 3.159 above, and have proposed changes² which appear to meet the concerns raised by those Objectors. I agree with the Council that a reference to archaeological matters in Policy MIN3 is inappropriate and unnecessary, in view of the protection offered by Policies CH24 and CH25³.

Inspector's Recommendation

3.169 I recommend that in respect of Objections 070/22, 070/120, 070/172 and 121/19 the UDP be modified by the amendment of Policies MIN1 and MIN2 in accordance with ALT/MINERALS/001, 002 and 003, but that no modification be made to the UDP in response to Objections 119/4 and 119/5.

¹ MPG6 (1994), paragraph 63.

² ALT/MINERALS/001, 002 and 003 (CD56, pp 275-277)

³ Policy CH24 - Development Affecting Scheduled Ancient Monuments; Policy CH25 - Development Affecting Non-scheduled Remains.

POLICY WAT1 - FLUVIAL AND TIDAL FLOODING

OBJECTIONS: 070/122 GO-M 062/11 (part) Redrow Homes (Northern) Ltd

COUNTER-OBJECTION: 062/C Redrow Homes (Northern) Ltd

Summary of Objections

- 3.170 Land at Fender Farm, Moreton should be excluded from the provisions of Policy WAT1, as it is required for development within the Plan period and makes no significant contribution to the objectives of the Policy (062/11).
- 3.171 The word 'normally' should be deleted from the Policy (070/122). The Policy as proposed to be amended¹ is worded in an unacceptably negative fashion (062/C).

Assessment and Conclusions

3.172 The published change to Policy WAT1 reconstructs the Policy in a manner which enables 'normally' to be omitted. I see no advantage in the alternative wording of Policy WAT1 suggested in Counter-objection 062/C; that wording is if anything more negative in style than the wording proposed by the Council.

3.173 As Objection 062/11 concerns proposed Green Belt land which the Objector wishes to have allocated for housing purposes, I deal with it in the Green Belt Section².

Inspector's Recommendation

3.174 I recommend that the UDP be modified by the amendment of Policy WAT1 in accordance with ALT/WATER/001, but that no further modification be made in response to Counter-objection 062/C.

¹ ALT/WATER/001 (CD056, p 285).

² On pages 132-135 of this report.

Part I: Policy COA1 and supporting text - Principles for the Coastal Zone

- 1 - Site of the Former Bromborough Power Station*
 - 2 - Girlings Field, Bromborough*
 - 3 - Site of the Former Leas School, Hoylake*
 - 4 - Alfred River Entrance, Alfred Dock and Island*
 - 5 - Wallasey Golf Clubhouse and Environs*
-

0POLICY COA1 - PRINCIPLES FOR THE COASTAL ZONE

Written Statement paragraph 20.2

- 1 - Site of the Former Bromborough Power Station**
- 2 - Girlings Meadow, Bromborough**
- 3 - Site of the Former Leas School, Hoylake**
- 4 - Alfred River Entrance Dock and Island**
- 5 - Wallasey Golf Club Clubhouse and Environs**

OBJECTIONS: 005/3 Wallasey Golf Club 006/3 Mersey Docks & Harbour Company
 119/7 National Museums and Galleries on Merseyside
 127/26 & 127/27 Wirral Wildlife

Summary of Objections

- 3.175 Wirral's Coastal Zone is of proven archaeological importance, and there should be references to archaeology in paragraph 20.2 of the Reasoned Justification (119/7).
- 3.176 Sites 1, 2 and 3 should be included in the Coastal Zone (127/26, 127/27).
- 3.177 Sites 4 and 5 should be excluded from the Coastal Zone (005/3, 006/3).

Assessment and Conclusions

3.178 PPG20 *Coastal Planning* encourages the identification of a coastal zone for planning purposes and lays down the purposes for which such a designation should be made¹. The UDP Proposals Map defines a Coastal Zone for the Wirral District, and Policy COA1 sets out in broad terms the additional development control criteria which developments in the Zone will be considered against. The supporting paragraphs 20.1 to 20.14 describe the Zone and summarise the main issues within it, such as bathing water quality and estuary management plans. The Council accept the view that reference ought to be made to the Zone's archaeological significance, and propose to change paragraph 20.2 accordingly².

Site of Bromborough Power Station; Girling's Meadow

3.179 The main part of the Power Station site is a recognised major employment site (EM3/3). A piece of open land between Proposal TR6/26 (Wirral International Business Park Coastal Road) and the Mersey coastline is included in the Coastal Zone, and I accept that this

¹ PPG20, paragraph 4.5.

² ALT/COAST/001 (CD056, p 298)

Part I: Policy COA1 and supporting text - Principles for the Coastal Zone

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-

strip of land, rather than the Power Station site itself which has no obvious coastal characteristics, should be the defined Coastal Zone at this point.

3.180 Girlings Meadow (Girlings Field) also forms part of the Wirral International Business Park and is shown on the Proposals Map as part of a Primarily Industrial Area. Although I recognise that this land has a distinct flora and fauna its habitat and landscape do not seem to me to be coastal in character. I therefore see no strong case for including it in the Coastal Zone.

Site of the Former Leas School, Hoylake

3.181 The land of the former school on the west side of Meols Drive lies immediately adjacent to the Royal Liverpool Golf Club course which is both in the Green Belt and in the Coastal Zone. Slightly further to the north the golf course extends right up to Meols Drive and the Coastal Zone also extends to that point. However whilst the former school site is largely open in character following the demolition of the buildings on the site, it displays few other signs of a coastal habitat, in contrast with the adjoining golf links. There is therefore in my view no justification for its inclusion in the Coastal Zone.

Alfred River Entrance Dock and Island

3.182 The Objector seeks the exclusion of this land from the Coastal Zone because its dockside character and infrastructure make it inherently dangerous for the general public, contrary to the expectation in Policy CO1 that as a result of development proposals in the Coastal Zone public access to the coast will normally be expected to be preserved or enhanced. This objective is reinforced by paragraph 20.17 of the supporting text. However I accept the Council's view that this dockside area is inherently of the character which would make it difficult to exclude from the Coastal Zone. The Council suggest a change to Policy CO1 to meet the Objector's grounds of concern, and I deal with that matter elsewhere³. I conclude that no change should be made to the Coastal Zone itself in this area.

Wallasey Golf Club Clubhouse and Environs

3.183 I understand the Objector's wish not to see any future development which may be proposed to promote the interests of the Golf Club or course unduly constrained by restrictive policies. However it is clear to me that the clubhouse and its setting is undeniably of coastal character and the recreational activity which takes place there takes advantage of a dominant coastal feature in that area, namely sand dunes. The Council have sought to reassure the Objector that the Coastal Zone designation need not unreasonably inhibit the latter's ability to carry out operational golf course development, subject to normal development control criteria. The possibility of a general development of as yet unspecified content being put forward by the

³ See pages 361-363 of this report.

Part I: Policy COA1 and supporting text - Principles for the Coastal Zone

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-

Objector is something which would have to be considered in the light of the development plan provisions as a whole and does not in my view justify what would be relaxations in the UDP provisions as a contingency measure. I therefore consider that the Wallasey Golf Club course should remain in the Coastal Zone. Other Objections relating to the golf course are dealt with elsewhere in this report⁴.

Inspector's Recommendation

3.184 I recommend that the UDP be modified by the amendment of paragraph 20.2 of the Written Statement in accordance with ALT/COAST/001, but that so far as Policy COA1, paragraphs 20.1 to 20.14 and the Proposals Map are concerned no other modification be made to the UDP in response to Objections 005/3, 006/3, 119/7, 127/26 and 127/27.

⁴ Green Belt, pages 189-193; Site of Biological Importance (NC6/59), pages 278-279.

POLICY TEL1 - PRINCIPLES FOR TELECOMMUNICATIONS

OBJECTIONS: 129/10 British Telecommunications plc
051/1 Orange Personal Communications
COUNTER-OBJECTION: 090/J Mr D I Maurice Jones

Summary of Objections

- 3.185 Unlike Policy TE1¹, Policy TEL1 is not expressed in the positive manner required by the guidance in PPG8 *Telecommunications*. It does not encourage the growth of telecommunications as envisaged in the PPG, pays insufficient regard to the technical constraints associated with the location of telecommunications equipment and fails to recognise the contribution telecommunications make to the economy and the environment (129/10, 051/1).
- 3.186 Policy TEL1 as proposed to be amended² should state that telecommunications antennae and apparatus should not be permitted within 1000 metres of residential areas (090/J).

Assessment and Conclusions

3.187 The policy change proposed by the Council introduces a reference to technical constraints being a consideration in the assessment of development proposals. The policy continues to be expressed in a neutral way, unlike Policy TE1. However, many of the UDP's Part I policies are expressed in such a manner. It seems to me that this reasonably reflects the balance between the Government's wish to facilitate the growth of new and existing telecommunications systems and environmental objectives, implicit in PPG8³.

3.188 PPG8 also states that UDPs - Part 1 should take account of the strategic requirements of telecommunications networks, and provide an appropriate framework for local plan (or UDPs Part 2) policies⁴. Whilst reference to technical constraints could be construed as acknowledging the need to take into account the strategic needs of a particular telecommunications system, the policy would in my view better reflect the approach taken in the PPG if express reference were made to the need to take the requirements of the system as a whole into account. I therefore suggest a further change to the policy with this in mind.

¹ Policy TE1 - Criteria for Telecommunications Apparatus.

² ALT/TELECOM/001 (CD56 p 313)

³ PPG8, paragraph 5.

⁴ PPG8, paragraph 14.

3.189 TEL1 is a strategic policy which lays down general criteria under which telecommunications proposals are to be considered. It is not therefore appropriate in my view to incorporate into the policy any definitive minimum separation distance in relation to housing areas such as is suggested in Counter-objection 090/J. Besides, I regard such a control as far too rigid; the reference to amenity in the policy and in Policy TE1 are to my mind sufficient to enable the legitimate interests of neighbouring residents fully to be taken into account.

Inspector's Recommendation

3.190 I recommend that the UDP be modified by the amendment of Policy TEL1 to read:

'Proposals for the provision of telecommunications antennae and associated apparatus will be assessed with regard to their siting and design, environmental impact and impact on the amenity of neighbouring uses, to the strategic requirements of the telecommunications network concerned and to other technical constraints, and subject to other policies of the Plan'.

POLICY REN1 - PRINCIPLES FOR RENEWABLE ENERGY

OBJECTIONS: 041/1 British Wind Energy Association 072/7 Frank Field MP

Summary of Objections

- 3.191 The policy should contain a reference to wind energy (041/1).
- 3.192 It is misleading to refer to waste combustion or incineration as providing renewable energy. There should be a distinction in the policy between this source of energy with its significant pollution effects and other forms which do not have such effects (072/7).

Assessment and Conclusions

3.193 Wind energy is an important form of renewable energy. I recognise that in areas with extensive coastlines and uplands, the actual and potential incidence of wind farms may justify policies in development plans specifically relating to that form of energy production. PPG22 *Renewable Energy* requires that UDPs Part I should contain general policies and proposals on providing renewable energy in the area¹. The PPG advises that UDPs Part II should contain detailed policies for developing renewable energy sources and should indicate broad locations or specific sites². However it seems to me that the scope for renewable energy projects may be more limited in the Wirral than in some other Districts. Although there may be some opportunity for suitable projects I accept the Council's view that express reference to wind energy in Policy REN1 is unnecessary. Its mention in paragraph 23.1 of the supporting text is in my view sufficient in these circumstances.

3.194 I also agree with the Council submission that waste combustion can claim to be a form of renewable energy, primarily because it is one of the technologies qualifying for grant under the Non-Fossil Fuel Obligation Order. I see no strong case to distinguish between waste combustion and other sources of renewable energy in the policy or supporting text, in terms of its environmental effect. It can have potentially polluting effects, but this should not prevent projects from being assessed on their individual merits under Policy REN1 supported by paragraph 23.3 of the Written Statement, and under Policies POL1, PO1 and PO3³.

Inspector's Recommendation

3.195 I recommend that no modification be made to the UDP in response to Objections 041/1 and 072/7.

¹ PPG22, paragraph 24.

² PPG22, paragraph 25.

³ Policy POL1 - Restrictions for Polluting and Hazardous Uses; Policy PO1 - Potentially Polluting development; Policy PO3 - Noise.