
PROPOSAL HS1 - LAND ALLOCATED FOR RESIDENTIAL DEVELOPMENT

GENERAL OBJECTIONS:

OBJECTIONS: 047/5 Bryant Homes Ltd 081/4 HBF
 061/4 Mulberry Properties (Noctorum) Ltd
 062/7 Redrow Homes (Northern) Ltd

Summary of Objections

- 6.1 The level of provision of housing land proposed in the UDP will not be adequate for reasons adduced elsewhere¹. To help remedy that deficiency it is necessary to allocate more land for residential development under Proposal HS1.

Assessment and Conclusions

- 6.2 I conclude elsewhere that the UDP's new dwelling requirement should be increased from 9500 to 10500 dwellings². The site-specific recommendations in the following pages of this report enable further sites to be allocated under Proposal HS1, which with the other identified sources of supply would in my view be sufficient to satisfy that increased requirement.

Inspector's Recommendation

- 6.3 [see site specific recommendations]

¹ See pages 18 and 19 of this report.

² See pages 18 to 35 of this report.

**PROPOSAL HS1 - LAND ALLOCATED FOR RESIDENTIAL DEVELOPMENT
POLICY WA1 - DEVELOPMENT AND FLOOD RISK
HS1/1 (Deposit Version) - Land at Pasture Road/Leasowe Road/Ditton Lane, Leasowe**

COUNTER-OBJECTIONS: 062/A, 062/F Redrow Homes (Northern) Ltd

Summary of Objections

- 6.4 The Objection site should not be deleted as a housing allocation and shown as an area for tidal water storage¹. The site is at no more significant risk of tidal overtopping than other housing areas.

Assessment and Conclusions

6.5 The Council confirm that there is no objection in principle to the development of the Objection site for housing purposes; indeed they do not disagree with the Objector's view that such a development would support urban regeneration by making use of land not in the Green Belt or open countryside and which has no significant landscape or recreational value. They also acknowledge that the site's development would be sustainable in view of its proximity to local service uses and bus and rail facilities. These advantages are also very clear to me.

6.6 Having studied the report of the Objector's consultants², like the Council I accept that by effective engineering measures and careful attention to the layout of development the conditions of flooding by tidal overtopping or overflow from the River Birkett could be alleviated to such an extent as to remove what appears to be the only fundamental objection to housing development on the Objection site. However, concerns the Council raise about the effect of off-site measures on the appearance and use of the land north of Leasowe Road do in my view have substance. No details of such measures are presently available to confirm beyond reasonable doubt that the open, 'common' appearance of that land which lies

¹ As proposed under ALT/HOUSING/001 and ALT/WATER/017 (CD056, pp 31 and 297 and page following), 'due to risk of tidal overtopping'. However a subsequent proposed change (ALT2/WATER/002 (CD057, p 38)) modifies the Reasoned Justification for Policy WA1 to concede that development of the Objection site would need to incorporate engineering measures which not only protected development on the site from flooding but also did not place existing built development on Pasture Road at greater risk.

² *Flood Storage and Drainage Feasibility Report for Land at Leasowe Road, Wirral* - Rendel Palmer and Tritton, September 1995 (Document 62/W/3).

within the Green Belt and Coastal Zone could be preserved, and its use as part of a Countryside Recreation Area³ continue in a satisfactory manner.

6.7 PPG12 *Development Plans and Regional Planning Guidance* confirms that development plans should take into account the need for additional (infrastructure) facilities⁴. PPG3 *Housing* advises that in terms of the identification of land for housing, sites must be free, or readily freed from planning, physical and ownership constraints⁵. Under the present circumstances I consider that the difficulties associated with the extent of off-site works on land not under the control of the Objector combined with the doubt about the acceptability of engineering works north of Leasowe Road in planning terms are of such substance as to outweigh the merits of allocating the Objection site for housing purposes. I therefore find the proposal to delete the Objection site as an allocated housing site to be justified.

6.8 Such an outcome would not of course preclude further investigations into the feasibility of flood alleviation and drainage works in implementation and planning terms. It is for the Objector to decide whether or not to pursue such a course of action in the knowledge that there are unlikely to be any other fundamental objections to the development of the Objection site for housing.

Inspector's Recommendation

6.9 I recommend that the UDP be modified

(a) by the deletion of the Objection site from Proposal HS1 in accordance with ALT/HOUSING/001;

(b) by the designation of the Objection site as an Area for Tidal Water Storage under ALT/WATER/017 and

(c) by the amendment of the Reasoned Justification for Policy WA1 (paragraph 19.5) in accordance with ALT2/WATER/002.

³ As part of the North Wirral Coastal Park. The land is subject to Policy TL11 (Development at Countryside Recreation Sites) which restricts new development to the re-use of existing buildings and the construction of small scale visitor facilities for countryside recreation.

⁴ PPG12, paragraph 5.22.

⁵ PPG3, paragraph 45.

**PROPOSAL HS1 - LAND ALLOCATED FOR RESIDENTIAL DEVELOPMENT
PROPOSAL GB1 - AMENDMENTS TO THE GREEN BELT BOUNDARY
HS1/5 - Land to the west of Manor Drive, Moreton**

OBJECTIONS:

002/1 Mr & Mrs V Cardus 008/1 J Heslin 009/1 Mr T D Byrne 011/1 Mr I M Hooper 015/1 Mrs A Ghaemi
020/1 Mr J C Neil 022/1 Mr & Mrs Ashton 023/1 Mr & Mrs H W Buckley 025/1 S L Heron
028/1 Mr & Mrs Finch 030/1 P F Jordan 033/1 Mr & Mrs I Hare 037/1 Mr R Waterhouse
043/1 Mrs K Bibby 058/1 W G Slater 064/1 Mr M Wells 065/1 Mrs P D Wells 067/1 Mr & Mrs Ashton
100/1 The Wirral Society 105/1 Miss J I Harte 106/1 Ms V P Kane 107/1 Ms C R Kane
112/1 Mr D West 113/1 Mr D K Barber 114/1 Mr R Dolphin 115/1 Miss M Cadvan Jones
118/1 N A D Taylor 127/4 Wirral Wildlife 130/1 K Woolfall 131/1 P J Boon 132/1 Dr A A Duncan
133/1 Rowlands 134/1 Mr P Thomas 135/1 Mr P C Aylward 136/1 Mr & Mrs P Mason 137/1 J P Keating
138/1 J R Gore 139/1 Mrs J B Kreuger 140/1 M Walton 141/1 Mr H D O'Connell
142/1 Mr & Mrs G R Munn 143/1 Mrs W Scully 144/1 I Proctor 145/1 Mrs G Gutteridge
146/1 Mr D Whitehead 147/1 Mr & Mrs Delap 148/1 Mr Skillen & Mrs Sayce 149/1 Mr & Mrs D P Dutton
150/1 G L Hood 151/1 M Pratt 152/1 Mr D Beacher 153/1 D Schofield 154/1 W Shaw
155/1 W Crighton 156/1 Mr & Mrs K Barlow 157/1 W R Pollock 158/1 D & J Jackson 159/1 Mrs Ellwood
160/1 G Knapman 161/1 Mrs J Skyner 162/1 R Roberts 163/1 J G Prince 164/1 Mr & Mrs V Bordley
165/1 Mr & Mrs Eccles 166/1 Mrs H Harper 167/1 Mr & Mrs Oliver 168/1 P Corley 169/1 Mr Carey
170/1 Mr & Mrs George 171/1 Mrs B Weir 172/1 Mrs A Finley 173/1 Mrs Y Lancaster 174/1 P Williams
175/1 J L & J A Winstanley 176/1 Mrs & Mrs A Warburton 177/1 Mr & Mrs T O'Hanlon
178/1 Mrs J Harrison 179/1 Mrs V D Lawson 180/1 Mrs & Mrs D Roberts 181/1 Mr & Mrs S J Kay
182/1 Mr R P F Mason 183/1 Mr & Mrs R C Airey 184/1 Mr D Armbruster 185/1 Mrs D Armbruster
186/1 Mr Crellin 187/1 Mrs A Hindle 188/1 Mr A Short 189/1 Mr W Howard 190/1 Mr R Penfold
191/1 Mr & Mrs Landsborough 192/1 Mr F Boundy 193/1 Mr & Mrs P T Bridge 194/1 Mr T H Short
195/1 Mr & Mrs R D Jones 196/1 Mr H Bernard 197/1 Mr C Hart 198/1 Mr & Mrs Maher
199/1 Mr & Mrs J T Crossley 200/1 Mr J Kelly 201/1 Mr & Mrs N E Pouncey 202/1 Ms S Jackson
203/1 Mrs P V Brown 204/1 Mr & Mrs P Walling 205/1 Mr & Mrs J Bell 206/1 Mr Cromarty
207/1 Mrs W B Heeson 208/1 Mr F J Smith 209/1 Mr D E Crawshaw 210/1 Mr & Mrs R T Cordon

Summary of Objections

- 6.10 The development of the Objection site for housing would spoil its present open character. The UDP states that there should be visual breaks between Wirral's towns and villages, and the proposed development would contravene this. The proposed Green Belt or green space provisions should be extended to include the Objection site and thereby provide an uninterrupted corridor along the Moreton Spur/Upton By-pass. The site is used for recreational purposes for horse grazing, riding and gymkhanas. Any development of the site would deprive many people of these facilities. The site is a haven for wildlife.
- 6.11 Access between any development on the site and the Moreton Spur/Upton By-pass would be via Croft Drive. This is already a busy road, and the volume of traffic would be increased further.
- 6.12 Many housing developments have taken place in the Upton, Saughall Massie and Moreton/Leasowe areas. If any more pockets of open land were built upon, this area would soon become a huge built-up sprawl across the northern end of the Wirral.

Assessment and Conclusions

6.13 The Objection site is allocated for housing purposes in the UDP under Proposal HS1/5. The site adjoins land to the east of Manor Drive which the Council propose to designate as Green Belt as part of the M53 corridor. That land also falls within an area shown on the UDP Proposals map as a 'Road Corridor subject to Environmental Improvement', a provision originally made in the Merseyside Structure Plan¹. The Objection site does not fall within that area.

6.14 Apart from wishing to retain the site for its own sake as an open space, the Objectors argue that the site should be kept open in order to maintain continuity of open land down the Moreton Spur of the M53 and further along the Upton By-pass towards Upton Meadows². Whilst I understand the point being made, I am not sure that the Objection site is crucial to the concept of a linear open space in circumstances when there is residential land immediately to the west of the Objection site which already effectively interrupts any real sense of linearity in the existing open space system.

6.15 This approach should also be examined against the purposes of the Merseyside Green Belt as applied to Wirral. The Structure Plan identified these purposes as being to check the outward spread of built-up areas, direct development in to existing towns and encourage their regeneration, to ensure that towns and villages keep their individual character and to safeguard the surrounding countryside, so that its potential for agriculture, nature conservation and recreation and its value as an amenity for townspeople was preserved³. That Plan identified the M53 corridor as an important break *between the built up areas of eastern and central Wirral*⁴.

6.16 The UDP emphasises that the M53 corridor acts to separate the eastern and central townships⁵. I conclude elsewhere that there is a case to establish a Green Belt in the M53 corridor sufficient to perform this function⁶. It seems to me that, whatever its other attributes,

¹ Merseyside Structure Plan Written Statement (CD049), Policy 10.71 (page 90).

² The continuity of this open space concept relies on roadside verges and on open spaces designated in the UDP as Urban Greenspace or Sports Grounds Protected from Development (GR2/145, GR2/155, GR2/159, RE6/8 and GR2/151).

³ Structure Plan Written Statement (CD049), paragraph 11.3 (page 96).

⁴ Structure Plan Written Statement (CD049), paragraph 11.11 (page 99). The Plan did not actually designate the corridor as Green Belt, but it was subject to what the Council have referred to as a 'quasi-Green Belt policy' (Structure Plan Policy 11.12). The purposes of the Green Belt as expressed in the Structure Plan, and the text of Policy 11.12, were repeated in the Merseyside Green Belt Local Plan (CD048, paragraphs 2.3 and Appendix).

⁵ Structure Plan Written Statement, paragraph 7.9 (page 66).

⁶ See pages 120 to 123 of this report.

the Objection site makes little contribution to the fundamental separation of the eastern and central townships. It follows therefore that in those terms, the case for including the site in the proposed Green Belt is weak.

6.17 The Objection site, which I viewed from a number of locations including Bidston Hill, helps to separate the urban areas of Moreton and Upton which are both on the western side of the main motorway corridor; but in my view such a separation is not relevant to the intended Green Belt function. Indeed, one of the Objectors conceded that its fulfilment of that more localised function would be a 'bonus'. PPG2 *Green Belts* recognises that the use of Green Belt land has a positive role to play in providing outdoor recreation near urban areas, retaining attractive landscapes and securing nature conservation interest. However, the extent to which these objectives are satisfied is not in itself a material factor in the inclusion of the land within the Green Belt⁷. Manor Drive would in my view be a clearly defined Green Belt boundary, even though the appearance of the land on either side is not dissimilar. In all these circumstances I consider that the inclusion of the Objection site in the proposed Green Belt is not justified.

6.18 I have however considered whether, irrespective of the merits or otherwise of the allocation of the Objection site for housing, there is in the alternative to Green Belt status a case for designating the Objection site as Urban Greenspace. PPG17 *Sport and Recreation* states that the protection of open space and other land with recreational or amenity value is an appropriate function of development plans⁸. UDP Policy GRE1 and the Written Statement lists those types or area or physical features which may be appropriate for designation as Greenspace⁹.

6.19 The Objection site does not fit neatly into any of the categories described, although it is clear that the site is attractive and is valued by many for its trees, green space, wildlife and use for recreational purposes associated with horses. However it seems to me that most of the trees, and the habitats they support, could be retained in any development layout. The site carries no official designation in terms of wildlife or ecological value and although owned by the Council, is not an open space to which the public have rights of access.

6.20 I accept that local effort has gone into the organisation of the horse-keeping and riding facilities on the Objection site, and that residents and especially young people benefit from them. There are advantages in locating stabling for horses and ponies adjacent to grazing land. Relocation would be a temporary disruption to this activity, yet no *compelling* reason has been advanced as to why such a use could not be re-established on land to the east of Manor Drive,

⁷ PPG2, paragraph 1.6.

⁸ PPG17, paragraph 13.

⁹ Policy GRE1 - The Protection of Urban Greenspace. The Written Statement, paragraph 8.2 states that Greenspace can include parks, play areas, playing fields and woodlands, as well as individual trees, hedges, private gardens and other features such as river corridors, road verges and other small amenity areas.

were the Objection site no longer available for that purpose. PPG17 asks planning authorities to consider the scope for encouraging recreational facilities on the urban fringe¹⁰. The popularity of horse keeping and riding is also recognised in PPG7 *The Countryside - Environmental Quality and Economic and Social Development*¹¹. However the guidance is not specific in terms of any assessment of social value when compared with other land uses such as housing. The present use of the site does not in my view sufficient in itself justify the designation of the site as Urban Greenspace.

6.21 As for the merits of allocating the Objection site for housing, I conclude elsewhere¹² that the UDP's new dwelling requirement should be increased from 9500 to 10500 dwellings. The thrust of the UDP's key urban regeneration theme is that land for housing should first be sought in the urban areas, next in other areas outside the Green Belt, and then only as a last resort from the Green Belt itself. Some objectors consider that the proposed yield of the site of 60 units would make little overall difference to the attainment of the Borough-wide housing requirement. Even so, the proposed allocation is part of the means of attaining what would become if my recommendations on the housing requirement were put into effect, a more onerous target. If the Objection site were not allocated for housing, it would be more difficult for the Council to find replacement housing land without encroaching upon the approved Green Belt. In these circumstances I am satisfied that the need for housing land outweighs the merits, real though they are, of retaining the site in its present use.

6.22 I accept that the development of the Objection site for housing could result in some increase in traffic in neighbouring roads, including Croft Drive. Any changes in traffic conditions in the area could be considered by the Council as local highway authority, to whom traffic management measures are available in appropriate circumstances. There is no technical evidence that a satisfactory access could not be formed onto Manor Drive, and I do not therefore regard the issue of traffic generation as precluding the development of the site. In summary therefore I consider that the Objection site should not be incorporated into the proposed Green Belt, and am satisfied that the Council's case for its allocation for housing is justified.

Inspector's Recommendation

6.23 I recommend that no modification be made to the UDP in response to the Objections listed at the beginning of this section of the report.

¹⁰ See PPG17 *Sport and Recreation*, paragraph 32.

¹¹ PPG7 (1997), paragraph 3.13.

¹² See pages 19 to 35 of this report.

**PROPOSAL HS1 - LAND ALLOCATED FOR RESIDENTIAL DEVELOPMENT
(PROPOSAL GR2: PROTECTION OF GREENSPACE WITHIN THE URBAN AREA)
HS1/6 - Land at Weybourne Close, Upton**

OBJECTIONS: 104/1, 104/2 B R Dene

Summary of Objections

- 6.24 The release of the Objection land for development would effectively destroy the only green buffer between Upton Park Drive housing and the Barratt development adjoining the nearby motorway. The latter development contains no green or public areas. The wooded area GR2/158¹ offers the only lifeline to landscape enhancement and the only green 'lung' to a now dense population and diminishing wildlife. The Objection land could be laid out as a children's play area or as allotments, or designated as part of a proposed Country Park. It should therefore be designated as Greenspace under Proposal GR2.

Assessment and Conclusions

- 6.25 It is noted that the Objection land has now been developed, with the benefit of planning permission, for housing purposes. Designation of the land as Greenspace for any of the purposes mentioned by the Objector would not therefore be appropriate. Whatever the merits of the Objector's case, as the land has been developed it is also inappropriate that it remain as a housing *allocation*; instead it should be made part of the adjoining 'Primarily Residential Area'.

Inspector's Recommendation

- 6.26 I recommend that the UDP be modified by the deletion of housing allocation HS1/6 and the inclusion of the Objection site in the 'Primarily Residential Area' notation, but that no other modification be made in response to Objections 104/1 and 2.

¹ GR2/158 - Weybourne Close Woodland.

OMISSION FROM PROPOSAL HS1 - LAND ALLOCATED FOR RESIDENTIAL DEVELOPMENT

Land at Woodside and Rose Brae, Birkenhead

OBJECTION: 084/4, 084/21 Merseyside Development Corporation

Summary of Objections

6.27 The possible development of the Objection site for housing purposes should be reflected in an allocation for such purposes, as no planning permission exists for housing. Notwithstanding this, the site should be allocated in such a way as to enable that land to be developed in part for business purposes as an extension to the Woodside Office area immediately to the north. The potential of this land for office development would be prejudiced by a rigid allocation solely for housing.

Assessment and Conclusions

6.28 The Council accept the first part of the Objection and have accordingly propose to allocate the Objection site for housing¹. They maintain that the prospects of securing a housing development on the Objection site are considerably better under the current market conditions than those for a commercial development, as a more attractive commercial site in market terms at Hamilton Square Station is being developed for housing rather than commercial purposes.

6.29 It seems to me that in locational terms, development of the Objection site for housing or for commercial purposes would be equally appropriate. However, my conclusions on the UDP's overall housing requirement² and the need to maximise land availability for housing within the urban area to reduce pressures on the Green Belt and other peripheral land suggests to me that a wholly residential allocation would be more supportive of the UDP's central theme of urban regeneration at the present time. Other land is available in the central Birkenhead area for business purposes, notably at Twelve Quays and North and South of Shore Road³. I therefore support the Council's proposal to allocate the whole of the Objection site for housing purposes.

Inspector's Recommendation

6.30 I recommend that the UDP be modified by the amendment of Proposal HS1/3 and the Proposals Map in accordance with ALT/HOUSING/001, but that no other modification be made in response the Objection 084/1 & 21.

¹ As revised proposal HS1/3 Under ALT/HOUSING/001 (CD056, p 31 and page following).

² See pages 18-35 of this report.

³ Proposal EM3/1 - Twelve Quays; Proposal EM3/15 - North and South of Shore Road.

POLICY HS2 - CRITERIA FOR NEW HOUSING DEVELOPMENT

OBJECTIONS: 070/2, 070/5, 070/30, 070/137 GO-M
081/5, 081/13 House Builders Federation
089/5 McCarthy and Stone

Summary of Objections

- 6.31 The word 'normally' and 'where appropriate' should be omitted from Policy HS2 and replaced by criteria (070/2, 070/30, 070/137). Attempts to impose a minimum garden size and a minimum distance between dwellings are in direct conflict with PPG3 *Housing*¹ (070/5, 081/5). The requirement in Criterion (vi) for open space and children's play areas to be provided in accordance with Policy GR6² is inappropriate, as the standard in that policy is excessive (081/13, 089/5).

Assessment and Conclusions

- 6.32 The Council's published change to Policy HS2³ deletes 'normally' from the main text of the Policy and 'where appropriate' from Criterion (vi). I am satisfied that these amendments meet the concern expressed. The reference to a precise minimum garden size in Criterion (vii) is also deleted. I deal with the standard for open space and children's play space, which the Council propose to modify, elsewhere⁴. There is no reason in my view why a reasonable standard laid down in Policy GR6 should not be referred to in Criterion (vi) of Policy HS2; such an approach is recommended in PPG17 *Sport and Recreation*⁵.

Inspector's Recommendation

- 6.33 I recommend that the UDP be modified by the amendment of Policy HS2 in accordance with ALT/HOUSING/002.

¹ PPG3, paragraph 6.

² Policy GR6 - Greenspace within new Family Housing Development, which in the Deposit version of the UDP requires greenspace in new housing developments over 35 dwellings to be provided at an overall level of 85 square metres for every new dwelling constructed.

³ ALT/HOUSING/002 (CD056, page 32).

⁴ See pages 228-229 of this report. The Council have published two changes to Policy GR6 - ALT/GREENSPACE/025 (CD056, page 87) and ALT2/GREENSPACE/001 (CD057, page 14).

⁵ PPG17, paragraphs 13, 16 and 20 and Table A.

POLICY HS3 - DENSITY AND DESIGN GUIDELINES

HS3/1 Noctorum Ridge, Noctorum

HS3/2 Mountwood, Prenton

OBJECTIONS: 063/2 Mr W Kelly 070/6, 070/31 GO-M
081/6 House Builders Federation 089/1 McCarthy and Stone

COUNTER-OBJECTION: 300/A Mr D Clamp

Summary of Objections

- 6.34 The word 'normally' should be deleted from Policy HS3 (070/31). The density and design guidelines in the Policy, and especially those for Areas 2, 3, 4, 5 and 6 are unduly detailed and prescriptive, and permit very little flexibility. The provisions of Policy HS2 (i) - (iv)¹ should provide sufficient protection (070/6, 081/6).
- 6.35 In the Noctorum Ridge area (HS3/1), Nos 65 to 93 Bidston Road should be part of Zone 4 rather than Zone 3, as both sides of this part of Bidston Road should be given the same treatment under the Policy, and some of the guidelines applied to Zone 3 are not relevant (063/2).
- 6.36 The Policy does not distinguish between conventional flats and specialised accommodation for the elderly. Sheltered housing accommodates a particular need, and its functional requirements and planning standards can differ from those of normal residential developments. Notional density may be higher, but more sheltered apartments can often be accommodated within a building envelope than could otherwise be achieved. There is also a demonstrably lower level of car ownership amongst sheltered owners, and the need for large parking areas is therefore reduced. Thus sheltered developments 'fit' well on sites despite relatively high densities. The supporting text should indicate that certain forms of specialised housing may be considered as an appropriate exception to the density standards laid down (089/1).
- 6.37 The proposed amendment to Policy HS3² includes in relation to the Mountwood area (HS3/2) a reference to plots 'in close proximity' which is too vague and should be more clearly defined. The amendment flies in the face of the established Development Control Guidelines No 2 (Mountwood)³ (300/A).

¹ Policy HS2 - Criteria for New Housing Development.

² ALT/HOUSING/003 (CD056, page 33).

³ Document 2 attached to the Objector's statement 300/P/1.

Assessment and Conclusions

6.38 The published change to Policy HS3 omits 'normally'. The Council accept that the reference to plot frontages is too rigid, and the change reflects this. Whilst the author of the Counter-objection would for the Mountwood area prefer to return to the prescriptive minimum plot frontage standard of Development Control Guidelines No 2, it seems to me that this would be contrary to PPG3 *Housing*⁴. The Council indicate that new plot frontages in the area could be in the order of 25 metres in length, but I agree that it would be unwise to prescribe this figure in the Policy. Whilst the expression 'close proximity' may not be ideal, it is in my view acceptable in circumstances in which the overall maximum density in the area is specified.

6.39 The Council explain that the Zones within the Noctorum Ridge area have been rationalised for the purposes of Policy HS3⁵. However the western side of Bidston Road north of Howbeck Road is still placed in a different zone (Zone 1) to the eastern side (Zone 2). Whilst there is some logic in putting both frontages in the same zone, my site inspection confirmed the Council's view that there is some difference in the character of development arising in part from institutional uses on the eastern side. I therefore see no strong justification for changing the boundaries of Zones 1 and 2 to accommodate the points raised by the Objector.

6.40 The published change to Policy HS3 reflects the Council's acceptance that in some of the areas specified, sheltered housing make be satisfactorily accommodated to standards different from those referred to in the deposit Policy. No Counter-Objection has been received from Objector (089). It seems to me that the proposed amendments give reasonable scope for the development of sheltered housing and residential care accommodation in the Noctorum Ridge and Meols Drive, Hoylake areas. I have no evidence to suggest that express reference should be made to such developments in the other areas which are the subject of Policy HS3.

6.41 I suggest that it would be beneficial to users of the UDP if the Zones or sub-areas into which the Noctorum Ridge, Stanley Road (Hoylake), Gayton, Gleneagles Park (Caldy) and Caldys areas are divided were clearly shown on the Proposals Map.

Inspector's Recommendation

6.42 I recommend that the UDP be modified:

- (a) by the amendment of Policy HS3 in accordance with ALT/HOUSING/003;
- (b) by the marking on the Proposals Map of the Zones or sub-areas into which the Noctorum Ridge, Stanley Road (Hoylake), Gayton, Gleneagles Park (Caldy) and Caldys areas are divided.

⁴ PPG3, paragraphs, 6, 23 and 24.

⁵ As shown on the plan attached to Council statement WMBC/W/HOUS/50.

**POLICY HS3A (FIRST ALTERATIONS) -
PRINCIPLES FOR AFFORDABLE HOUSING¹**
Written Statement Paragraph 6.44c²

COUNTER-OBJECTIONS: 062/B Redrow Homes (Northern) Ltd
081/A House Builders Federation

Summary of Objections

- 6.43 The need for affordable housing has not been justified, as required by PPG3 *Housing* (062/B). The Reasoned Justification for Policy HS3A should make it clear that where affordable housing is provided in the form of low cost units for sale, the provisions set out in Paragraph 6.44c will not apply (081/A).

Assessment and Conclusions

6.44 PPG3 advises that where there is a demonstrable lack of affordable housing to meet local needs, authorities may indicate an overall target for the provision of affordable housing throughout the Plan area, based on *evidence of need*, and also targets for specific sites, based on *evidence of need and site suitability*³.

6.45 The Council relies in Paragraph 6.44a of the Reasoned Justification for Policy HS3A mainly on the Borough's Housing Strategy⁴ as evidence of need. This document contains wide ranging information about housing conditions in the Borough, including sections on housing need, the condition of the housing stock and partnership and enablement (including initiatives by the private sector). The Plan does not contain any information which would seek to justify the provision of affordable houses on specific sites, although Policy HS3A might be interpreted as meaning that the Council would expect an element of affordable housing on all sites of over 1.5 hectares.

6.46 However, the Policy is not in my view a means of enforcing such a firmer policy; it merely states that the Council 'will seek to negotiate' an element of affordable housing. To my mind, the Council would in these circumstances need to justify in terms of need, any affordable housing they are seeking to have incorporated into individual schemes. This appears to be acknowledged by the reference in Paragraph 6.44a of the Reasoned Justification to the need for a full housing needs assessment to provide greater detail about need.

¹ ALT/HOUSING/004 (CD056, page 35).

² As Footnote 1 above.

³ PPG3, paragraph 38.

⁴ *Housing Strategy for Wirral 1996-1997* (CD089).

6.47 Policy HS3A does not impose the kind of uniform quota which PPG3 regards as unsatisfactory⁵; it also specifies in part (iii), on a Borough-wide basis, what client groups should be catered for. In my view the Policy itself adequately complies with current guidance on affordable housing. Nevertheless, the Reasoned Justification would in my view be improved by an expansion of Paragraph 6.44a to give a more explicit *résumé* of the need for affordable housing, especially for those parts of the Borough where the larger housing development sites are located or where that need would best be met.

6.48 The Council's published change to Paragraph 6.44c⁶ does not explicitly introduce the exclusion requested in Counter-objection 081/A; however it does remove the apparent embargo on the sale of an 'affordable' unit on the open market and in my view thereby satisfies the objective sought by the Objector.

Inspector's Recommendation

6.49 I recommend that the UDP be modified:

- (a) by the insertion of Policy HS3A in accordance with ALT/HOUSING/004;
- (b) by the insertion of Paragraphs 6.44a and 6.44b of the Reasoned Justification in accordance with ALT/HOUSING/004, subject to the expansion of Paragraph 6.44a to justify in more detail the need for affordable housing, both in the Borough as a whole and more particularly in those parts of the Borough where that need is greatest or most capable of being satisfied;
- (c) by the insertion of Paragraph 6.44c of the Reasoned Justification in accordance with ALT2/HOUSING/001.

⁵ PPG3, paragraph 39.

⁶ ALT2/HOUSING/001 (CD057, page 4).

POLICY HS4 - SHELTERED HOUSING

POLICY HS5 - NURSING HOMES/RESIDENTIAL CARE HOMES

OBJECTIONS: 070/32, 070/33 GO-M 089/2, 089/4 McCarthy and Stone

Summary of Objections

6.50 The word 'normally' should be omitted from Policies HS4 and HS5 (070/32, 070/33). Criterion (ii) of Policy HS4 which lays down a standard of approximately 10 square metres of private amenity space per bed space is unnecessary, and would act as a deterrent to developers wishing to build accommodation for the elderly, thus frustrating the needs and aspirations of that section of the community (089/2). Criterion (iv) of Policy HS4 is unsatisfactory, as it requires compliance with Policy HS3 which does not distinguish between conventional flats and specialised accommodation for the elderly¹ (089/5).

Assessment and Conclusions

6.51 Published changes to Policies HS4 and HS5 omit 'normally'². I conclude elsewhere³ that Policy HS3 should be amended to make reference to sheltered housing and residential care developments, and in these circumstances I consider that the reference in Criterion (iv) of Policy HS4 to compliance with Policy HS3 is reasonable.

6.52 So far as Criterion (ii) of Policy HS4 is concerned, I take the point made by the Objector (089) that elderly residents do for the most part appreciate open space for its amenity rather than its active recreational value. National planning guidance refers to the contribution that open space can make to the quality of urban life⁴, but it also emphasises that developers should not be expected to provide open space which is not reasonably related in scale and location to the development scheme they are undertaking⁵.

6.53 Whilst I do not regard the 10 square metre standard set out in Policy HS4 as excessive, I note that some of the developments referred to in the Objector's comparative analysis of

¹ A fuller summary of representations made by this Objector to Policy HS3 (Objection 089/1) may be found on page 107 of this report.

² ALT/HOUSING/005 (CD056, page 36) and ALT/HOUSING/006 (CD056, page 37).

³ See page 108 of this report.

⁴ PPG17 *Sport and Recreation*, paragraph 25.

⁵ PPG3 *Housing*, paragraph 28.

useable amenity space⁶ have a lesser standard. I accept that there may occasionally be circumstances where a development site is so located that its residents benefit from open space or other features outside the site. However, the alternative construction of Policy HS4 as suggested by the Objector merely to say that each development will be considered 'on its merits' would in my view render it too vague and weak. In my view Policy HS4 ought to convey a basic presumption that provision of amenity open space to a reasonable standard is usually necessary for the appearance of the development and the amenity and wellbeing of those living there. I have therefore suggested a form of words which expresses this approach.

Inspector's Recommendation

6.54 I recommend that the UDP be modified:

(a) by the amendment of Policy HS4 as follows:

(i) the word 'normally' to be deleted from the first line;

(ii) Criterion (ii) to read 'adequate private amenity space being provided at a rate of approximately 10 square metres for every bed space, except where the proximity of open space or other features adjoining the site justifies a reduced provision';

(b) by the amendment of Policy HS5 in accordance with ALT/HOUSING/006.

⁶ See Table forming Appendix 4 to the Objector's statement 89/W/1. More detailed comparison with the standard in the UDP is not possible, as the space figure given in the table for each scheme is per apartment, not bedspace.

POLICY HS6 - MOBILITY HOUSING

OBJECTIONS: 047/6 Bryant Homes Ltd 081/7 House Builders Federation

Summary of Objections

- 6.55 Policy HS6 appears to relate the requirements for wheelchair access to the size of a development. Instead, the Policy should relate such considerations to need and suitability of site location, regardless of size, in accordance with PPG3 *Housing*¹ (047/6). The Policy should not seek to impose detailed standards, including those relating to internal design² (047/6, 081/7).
- 6.56 The inclusion in the UDP and implementation of Policy HS6 should be based upon clear evidence of established need for mobility housing in the Borough; no such evidence is provided. There is also no explanation as to what are the 'appropriate' circumstances in which such facilities will be negotiated. Amendments to the Policy are suggested (081/7).

Assessment and Conclusions

6.57 The Council emphasise that their intention is that Policy HS6 should not be prescriptive, the emphasis being on negotiation. The size of a development should in my view be a consideration as to whether it would be appropriate for negotiations on mobility issues to be sought. This would of course take into account need within a particular area and the suitability of location.

6.58 The Council refer to their Housing Strategy as the source of general evidence for need³. It would not be unreasonable in my view for a developer to request evidence of localised need if asked by the Council to negotiate for an element of mobility housing in a particular scheme. However, it would be difficult in my view for information at that level of detail to be adequately expressed and kept up-to-date in the UDP. However a reference to the extent of the general need could I feel be added to Paragraph 6.53 of the Reasoned Justification.

6.59 PPG3 states that development plan policies should take account of the housing requirements of people in special need of help or supervision, who may have special locational requirements and for whom conventional housing may not be suitable⁴. However, the PPG also makes it clear that such policies whilst containing criteria relating to accessibility and proximity

¹ PPG3, paragraph 7.

² See PPG3 paragraph 7.

³ *Housing Strategy for Wirral 1996-1997* (CD089), paragraph 2.1.

⁴ PPG3, paragraph 8.

of local amenities, should not seek to *impose* detailed standards⁵. It is a well established principle that planning legislation should not normally be used to secure objectives achievable under other legislation⁶.

6.60 Policy HS6 does not seek to impose the detailed standards referred to in the Policy, reference being made to negotiations. The Council refer to the recommendation in the Inspector's report on the Objections to the St Helen's UDP that detailed standards be transferred to Supplementary Planning Guidance (SPG)⁷. However, the Council have retained detailed standards in Policy HS6, which includes internal standards which in the context of the St Helen's UDP the Inspector described as 'inappropriate for supplementary planning guidance and ... matters more properly controlled by the Building Regulations'.

6.61 In these circumstances I conclude that whilst Policy HS6 serves a necessary and important purpose in the UDP, the specification of detailed standards should be deleted and transferred to SPG, the scope and content of that guidance having regard to the relevant guidance in PPG1. PPG12 *Development Plans and Regional Planning Guidance* states that Plan policies should not attempt to delegate decisions to SPG or development briefs⁸. For that reason I suggest that the reference to SPG Note 46 be retained in Paragraph 6.54 of the Reasoned Justification but not be made in Policy HS6 itself.

Inspector's Recommendation

6.62 I recommend that the UDP be modified:

(a) by the amendment of Policy HS6 to read:

'In developments of 20 or more dwellings, the Local Planning Authority will seek to negotiate, where appropriate, the provision of dwellings specifically designed for, or capable of easy adaptation to wheelchair standard.

(b) by an expansion of the reference to the need for mobility housing in paragraph 6.53 of the Reasoned Justification, drawing upon information in paragraph 2.1 of the *Housing Strategy for Wirral* and any other appropriate material.

⁵ PPG3, paragraph 7.

⁶ PPG1 *General Policy and Principles* (1997), Annex C, paragraph C3.

⁷ *Inspector's report on the Objections to the St Helen's UDP* (CD084, page 235 and 236).

⁸ PPG12, paragraph 3.19.

POLICY HS7 - BACKLAND DEVELOPMENT

POLICY HS8 - HOUSE EXTENSIONS

POLICY HS9 - PRE-SCHOOL DAY CARE

POLICY HS10 - SELF-CONTAINED FLAT CONVERSIONS

Written Statement paragraph 6.67

OBJECTIONS: 070/8, 070/34, 070/35, 070/36 GO-M
121/4 MAFF

Summary of Objections

- 6.63 The word 'normally' should be omitted from Policies HS7, HS9 and HS10. Whilst there may be some justification for the specific control of extensions to terraced or semi-detached dwellings, the criteria in Policy HS8 are too detailed and permit very little flexibility. The reference to 'redundant' agricultural buildings in the Reasoned Justification for Policy HS10 is unnecessary.

Assessment and Conclusions

6.64 Published changes to Policies HS7, HS9 and HS10¹ delete 'normally' and in a further change 'redundant' is omitted from Paragraph 6.67 of the supporting text to the last mentioned Policy². The Council have also published a change to Policy HS8³ which omits 'normally' and makes amendments to Criterion (i) of the Policy and Paragraph 6.58 of the Reasoned Justification, giving more focus on the issue of privacy. I note that Objector (070) has not put in a Counter-objection; although fairly prescriptive, in my view the amended Policy gives householders reasonable scope for altering or extending their dwellings whilst protecting the amenity of their neighbours.

Inspector's Recommendation

6.65 I recommend that the UDP be modified by the amendment of Policies HS7, HS8, HS9 and HS10, and paragraphs 6.58 and 6.67 of the Written Statement, in accordance with ALT/HOUSING/007, 008, 009, 010 and 011.

¹ ALT/HOUSING/007 (CD056, page 38), ALT/HOUSING/009 (CD056, page 40) and ALT/HOUSING/010 (CD056, page 41).

² ALT/HOUSING/011 (CD056, page 42).

³ ALT/HOUSING/008 (CD056, page 39).

POLICY HS11 - HOUSES IN MULTIPLE OCCUPATION

OBJECTION: 060/1 C A Ford 070/37 GO-M

Summary of Objections

6.66 The word 'normally' should be omitted from Policy HS11 (070/37). The criteria listed in the Policy should be supplemented by criteria relating to the relationship of proposals for multiple occupation in relation to single family occupancy, effect on the character of an area, concentration of houses in multiple occupation and a 'threshold' limit on existing HMOs¹ and planning permissions in a street frontage (060/1).

Assessment and Conclusions

6.67 A published change to Policy HS11² omits 'normally'. The further criteria requested were in the Council's *Supplementary Planning Guidance - Houses in Multiple Occupation*. The proposed amendments to the Policy, including new Criteria (ii), (iv) and (v) and the concluding paragraph appear to satisfy the Objector's concerns. The resultant policy is long and in places very detailed in terms of its requirements; however in the absence of any Counter-objections I find no reason to suggest any changes to the published amendments.

Inspector's Recommendation

6.68 I recommend that the UDP be modified by the amendment of Policy HS11 in accordance with ALT/HOUSING/012.

¹ Houses in multiple occupation.

² ALT/HOUSING/012 (CD056, page 43).

**POLICY HS12 - NON-RESIDENTIAL USES IN PRIMARILY RESIDENTIAL AREAS
Land at New Brighton Station**

OBJECTION: 070/38, 070/138 GO-M 084/7 Merseyside Development Corporation

Summary of Objections

- 6.69 The word 'normally' should be deleted from Policy HS12, and the vague term 'where appropriate' replaced by appropriate criteria (07038, 070/138). The area including and to the south of the railway line and station at New Brighton Railway Station should be shown as within the 'Primarily Residential Area' (084/7).

Assessment and Conclusions

- 6.70 A published change to Policy HS12¹ omits 'normally'. The change also proposes the deletion of 'where appropriate' from the concluding paragraph, although these words remain in Criterion (iii). Although the Objector appears satisfied with these changes the reference to 'where appropriate' in Criterion (iii) in my view does nothing for the Policy and I suggest that it be omitted as well.

- 6.71 The Council propose a further change to the Proposals Map² incorporating New Brighton Station and an adjoining embankment into the area shown as 'Primarily Residential Area', to which I see no objection.

Inspector's Recommendation

- 6.72 I recommend that the UDP be modified

- (a) by the amendment of Policy HS12 in accordance with ALT/HOUSING/013, subject to the further amendment of Criterion (iii) by the deletion of 'where appropriate' from the last line of the criterion; and
- (b) by the amendment of the Proposals Map in accordance with ALT/HOUSING/014.

¹ ALT/HOUSING/013 (CD056, page 44).

² ALT/HOUSING/014 (CD056, page 45 and map following).

PROPOSALS MAP - PRIMARILY RESIDENTIAL AREAS
Land at Pool Bank, Port Sunlight
Land in Bidston Village

OBJECTIONS: 012/1 (part) Mr R T Carribine 044/4 The Vyner Estate*

*This Objection is considered in the Green Belt Section (Page 124).

Summary of Objection 012/1

6.73 Land at Pool Bank, Port Sunlight¹ should be allocated for housing under Proposal HS1².

Assessment and Conclusions

6.74 The allocation of the Objection site for housing under Proposal HS1 would be inappropriate, as the site is the subject of a planning permission for residential development, and is therefore regarded as a housing 'commitment'.

Inspector's Recommendation

6.75 I recommend that no modification be made to the UDP in response to Objection 012/1 (part).

¹ The duly made Objection referred to the 'proposed development at Port Sunlight' which the Council have interpreted as being land at Pool Bank. As the Objector has not contradicted this assumption I shall take this to be the Objection site (for the first part of the Objection).

² Proposal HS1 - Land Allocated for Residential Development.

LAND WITHIN PRIMARILY RESIDENTIAL AREAS

Land at the junction of Bromborough Road and Mill Road, Spital

Land at St Andrews Road, Spital (3 sites)

OBJECTIONS: 068/9, 068/11, 068/19, 068/20 UML Ltd

Summary of Objections

- 6.76 The Objection land should be allocated as housing sites rather than being designated as part of Primarily Residential Areas (PRAs) (068/9, 068/11).

Assessment and Conclusions

Land at the Junction of Bromborough Road and Mill Road, Spital (068/9)

6.77 The site is smaller than 0.4 ha and therefore allocation as a housing site is not appropriate¹. As the site falls within a PRA its development would be subject to Policy HS2². Although the site is part of the land allocated as a Site of Local Importance for Earth Science³ and any development there subject to Policy NC9⁴, the Council do not see this as ruling out housing development. In these circumstances I consider the site to be appropriately included in the PRA.

Land on St Andrews Road, Spital (3 sites) (068/11, 19 & 20)

6.78 These sites are in effect infill plots between existing housing on the east side of St Andrews Road, although the southernmost plot is at the junction of St Andrews Road with Spital Road. The land forms part of the tree belt which lies to the west and south of the Objector's Research Laboratory and car park. All are less than 0.4 ha in area, and therefore inappropriate for allocation as housing sites for the reasons given above. I therefore consider them to be appropriately included in the PRA.

Inspector's Recommendation

6.79 I recommend that no modification be made to the UDP in response to Objections 068/9, 11, 19 & 20.

¹ See the guidance in paragraphs 9 and 10(i) of Annex B to PPG3 *Housing*.

² Policy HS2 - Criteria for New Housing Development.

³ Under Proposal NC10/4.

⁴ Policy NC9 - The Protection of Sites of Importance for Earth Science. The policy lays down relevant criteria for assessing development proposals.