



Response to consultation comments

Wirral density study

Wirral Council

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Urban Imprint Limited

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1. Introduction

Purpose of this report

- 1.1. This report has been written to provide a detailed review of comments received during consultation on the draft density study. These comments have been received either as part of the specific consultation on the density study during summer 2021 or from the regulation 18 consultation. The density study forms one part of Wirral Council's evidence base supporting the emerging Local Plan and does not in itself form a development plan document.
- 1.2. This document does not address all the comments received on this document but focuses on those that raise a specific methodological matter. A full list of the comments received is included within the accompanying spreadsheet. The comments which form the basis of this report fall into three categories of respondents:
 - Comments from residents on specific components of the density study / policy
 - Comments from local interest groups and residents' associations
 - Comments from major housebuilders, landowners and land promoters
- 1.3. There are 13 comments considered in this document – 11 relating to consultation on the density study and 2 from the regulation 18 consultation.

Methodology for review and recommendations

- 1.4. Detailed assessment of responses to the draft density study was undertaken by planning officers at Wirral Council in early summer 2021 following the close of the consultation period. Officers then forwarded more specific queries to the consultant team who prepared this document. The review has been undertaken by the original consultant team responsible for drafting the density study. All the responses have been considered based on national policy and the evidence base as of 1st August 2021, including recent changes to the National Planning Policy Framework (July 2021), the National Design Guide (January 2019) and the National Model Design Code (January 2021) as well as section 66 (Effective use of land) of the Planning Practice Guidance published on the 22nd July 2019.
- 1.5. As part of conducting this review and preparing the detailed responses, all the 13 consultation submissions were reviewed in full. This is set out on a respondent-by-respondent basis in chapter 2 of this report. Each response is dealt with in turn in three parts:
 - Firstly, summarising the comment (or comments) received,
 - Secondly, setting out a discussion and responses, as appropriate, to the points raised
 - Thirdly, making recommendations to the local planning authority as to how the study and the associated policies could be amended to accommodate relevant matters.

- 1.6. Many respondents made one or more points that were worthy of consideration and where this is the case, the report highlights each of these individually and responds to each in turn. Many of the comments from various groups were similar, and there was much repetition and cross over.
- 1.7. As a result, for ease of consideration a series of concluding comments and observations is set out in chapter 3. This offers a topical overview of the comments received as opposed to the detailed consideration set out in chapter 2.

2. Response to individual comments

Comment H6 (Resident)

- 2.1. *Summary of comment:* This comment relates to the inclusion of an urban edge zone which forms part of Vineyard Farm, and objects to the area's inclusion within the stage 3 report. It is not considered an appropriate location for housing or higher density.
- 2.2. *Response to comment:* The area that is identified is not an allocation and the Council is not proposing to release land for development from the Green Belt. Therefore, as the density study progressed this area has been removed (see stage 5 report and draft policy recommendations). The area was included at that stage of the study due to the number of possible public transport options for the site and the close proximity to schools and other community facilities (including a church).
- 2.3. *Recommendations:* That the site remains identified in the stage 3 report given the nature of that report. The need for strategic release of greenfield sites is a matter that should be effectively dealt with elsewhere within the development of the Local Plan, and at this point there is no intention of releasing such sites for housing or other uses.

Comment H13 (Landowner/developer)

- 2.4. *Summary of comment:* This response refers to a specific site (or area) which sits between the A41 and the River Mersey, much of which is previously developed and former industrial land. The response suggests that it should be identified within the waterfront density zone (the highest densities) given the location and the presence of a bus service.
- 2.5. *Response to comment:* During the density study work we carefully considered the connectivity across the A41 and the impact that this might have on the establishment of the density zones. The matter of concern was, and the representation identifies this, that the majority of the higher frequency public transport connections and the community infrastructure (schools / healthcare etc) are to the west of the A41. At this point along the A41 is a busy urban clearway, with four lanes of traffic and few, if any crossing points. It is acknowledged that the site has some good access to sports and recreational opportunities and reasonable access to some retail opportunities.
- 2.6. Whilst the site could sensibly be considered a potential housing site given that it is no longer required for employment use, the density study needs to consider whether it is indeed appropriate for higher densities beyond the 30dph standard that is imposed on sites outside of the density zones. It should be noted that just because there is no specific 'zone' requiring a higher density, there is no reason that on a case-by-case basis a higher density could not be justified, subject to meeting appropriate design and accessibility criteria found elsewhere in the emerging plan, or subject to other infrastructure improvements.

2.7. *Recommendations:* It is considered that it would be inappropriate to identify this area of Wirral in a density zone given the criteria that have been used to identify the zones. However, the assessment does not pass judgement on the site as being suitable or otherwise for higher density housing. Any allocation of this type would need to satisfy the wider policy aspirations to allow for access to facilities and public transport provided to ensure compliance with paragraph 124 of the Framework (2021).

Comment E3 (Housing developer)

2.8. *Summary of comment:* This response raises five issues which may be summarised as follows:

- That the overall approach seems to be focused on achieving higher densities in existing urban areas to avoid release of the greenfield (Green Belt) land
- The average densities for the conservation areas are said to be 39dph and the respondent is unable to understand how this has been arrived at, nor how it is accurate
- That any development of over 40dph assumes flats which is not feasible or practicable to be delivered in the suburban and rural context of Wirral.
- That the study takes a 20-minute neighbourhood / transit-oriented development approach to densities which is not the only way of establishing density
- That the approach further reinforces an imbalance between the east and west of the borough, and further restricts future development in the west.

2.9. *Response to comment:* The respondent has assumed that the density study sets out the Local Plan's approach to the identification of areas of growth and allocation. However, fundamentally the work is driven by a Framework requirement as set out within paragraph 125, which would require such an exercise to be undertaken regardless of whether any subsequent greenfield land was to be removed. We agree with the respondent that the density approach is only one part of the Local Plan and should be looked at holistically with a range of other factors and as such this should not be seen in isolation.

2.10. Turning to matters regarding the densities in conservation areas, paragraph 3.2 of the stage 4 report details the approach that was taken and the conservation areas that were studied. The approach taken to working the densities out involved looking at a series of 1-hectare quadrants (where this was possible) laid across a scaled map at various points within the conservation area. Within this area the number of dwellings were counted. This allows for public services, roads, and other elements to be considered as well as the plot ratio and garden areas. It should be noted that the conservation areas used have been chosen for their urban character and we have not focused on the smaller village or rural characters.

2.11. The point raised about flatted development is incorrect and misinterprets the characteristics of high density. Densities of more than 40dph have been delivered in Wirral for many years, and not always using flatted accommodation. Historically the densities provided by terraced streets have been much higher still. In fact, a recent new

build scheme adjacent to Rock Ferry station, includes urban blocks comprising 2, 3 and 4 bedroomed houses, including bungalows at a density of over 40 dph without having to revert to apartments. More widely the millennium communities established by the then English Partnerships (Upton, Telford, etc.) have long demonstrated that a suitable mix of types, and sizes of dwelling (including some apartments) can be delivered at more than 50 dwellings per hectare. Certainly, the higher urban core and waterfront densities will require a predominance of apartments, but this is considered acceptable in these locations.

- 2.12. The approach taken to the transit orientated development, or 20-minute neighbourhood, is simply a response to the Framework (para 124c) which advocates how to determine appropriate densities. Whilst it is acknowledged that other methods could be imposed, this approach seems to relate most comfortably with those outlined within the Framework.
- 2.13. The final point regarding the imbalance between east and west, is not a matter for the density study. If there is considered to be an imbalance this should be dealt with outside of the density study, and through the strategic housing strategy. The density study alone should not be used in place of a comprehensive housing delivery strategy for the Borough, but it should be noted that the density study also identifies areas in west Wirral where higher densities would also be appropriate.
- 2.14. *Recommendations:* Based on the above assessment it is not recommended that any changes are made to the density study or the associated policies.

Comment E10 (Landowner/developer)

- 2.15. *Summary of comment:* This response raises three issues which may be summarised as follows:
- That the densities proposed will not deliver the right mix and balance of development across the borough in line with the housing need
 - There is a fundamental objection to the removal of any area outside of flood zone 1 from higher density zones
 - The densities proposed are the upper limit of what might be possible – there is a suggestion put forward to accommodate a reduction of approximately 5% across the set densities
- 2.16. *Response to comment:* The first point is challenged as all of the worked examples and neighbourhood assessments within the stage 4 report have demonstrated that a mix of types of dwelling can be delivered through higher densities. Many of the cases that we have worked on (including smaller sites) show a mix of small, medium and larger homes with gardens, as well as apartments with outdoor amenity space. Turning to the initial baseline work from 2019, this also shows that higher densities were already being delivered (through planning) on a variety of sites throughout Wirral.
- 2.17. The Strategic Housing Market Assessment (SHMA) (published January 2020) shows the broad trends in housing need for both market and affordable units. Almost 20% of the requirement is for flatted accommodation, with 65% requiring a house, the main need

being a three-bedroom house. There are countless examples of how this need can be delivered at a higher density. Even the requirement for larger four bed houses can be delivered to a higher density through townhouses and three storey properties – such approaches have been used extensively for almost 20 years. Provision for bungalows can be achieved as part of the lower densities in suburban areas, and in areas of densification. Any infill development could still favour bungalows and other smaller scale developments.

- 2.18. On the second point, to advocate higher densities within flood risk zones is contrary to the approach advocated by paras 161/162 of the Framework and the sequential test.
- 2.19. On the final matter, and the suggestion of a 5% reduction in the densities. It seems unclear from the submission why a 5% reduction of all minimum densities has been suggested given that the comment considers that these are likely to be at the upper end of what can be achieved. In real terms this would only result in a 2dph reduction at the suburban zone and 3.5dph reduction in the waterfront zone – these figures do not seem material and would further overcomplicate what is otherwise a simple policy with clearly defined density steps.
- 2.20. The response acknowledges that the higher densities recommended in the density study should be achievable (albeit in their view they are at the upper end), but this needs to be balanced against the Framework where para 125a advocates a ‘significant uplift’, which could not be achieved with a further reduction. Underpinning all the recommended policy is a clear approach that the minimum densities are a starting point and as always with policies the decision maker has the power to consider material considerations. It may be worth stressing this point further within the explanatory text.
- 2.21. *Recommendations:* It is not recommended that any changes are made to the density study or the associated policy wording itself. However, it may be worth including additional explanatory text as to how the policy may be implemented by decision takers, encouraging some flexibility to reflect localised circumstances in the Local Plan. The policy wording already implies this approach.

Comment E12 (House-building industry representative)

- 2.22. *Summary of comment:* There are two broad issues highlighted in the response. The first is that the densities proposed will create a change in local character. Secondly, that the densities would not deliver the quality of residential neighbourhoods in line with the Council’s and Government’s aspirations. It is argued that this approach would require some reduction in matters of quality, amenity, space standards (including Building Regulations – specific reference is made to Part M), poor quality green and blue infrastructure and parking conflicts when delivering such high densities.
- 2.23. *Response to comment:* The first concern raised is that there would be an erosion of local character because of increased density. It is acknowledged within the density study reports that some characters will change – albeit change does not necessarily mean that something is ‘bad’. The study expressly excludes areas of the borough – such as heritage and natural environment designations and park areas – where this is considered to pose a specific issue. The policy as drafted also includes an element of

flexibility for the decision maker to depart from the density hierarchy if they consider that the area's character is at risk. Planning and development activity, including increases in density, can change an area's character and there is a careful balance to be sought between allowing increased development and making effective use of land and sites (chapter 11 of the Framework). In this case, it is considered that an appropriate balance has been struck in line with paragraph 124d.

- 2.24. The response mentions both the nationally described space standards (NDSS) and the building regulations requirements for accessibility (M4). These aspirations are likely to result in larger properties than have traditionally been delivered in the last 20 years in all areas of the country, not just in Wirral. In many cases these are not in excess of those required for affordable housing units sought by Registered Social Landlords. In fact, the ability to deliver the NDSS is sensible as it allows the flexibility for adaptation within properties. In preparing the density study, we have been mindful of the need to deliver (comparatively) larger properties when testing the higher densities proposed. This is coupled with looking at modern approvals over the last few years (see the stage 1 report) which shows that since 2017 the Borough has already been delivering higher densities – which all post-date the part M regulations from 2010 and the NDSS from 2015.
- 2.25. However, we have been mindful of the need to approach this using larger house types. For example, the two-storey terraced house footprint that has been used in the sketches on the test sites would have a floorspace somewhere in the region of 100sq/m which is commensurate with the NDSS of being almost a 3-bed dwelling. Over three storeys this same footprint can easily exceed the requirements for a 4-bed unit based on the same standards. With some detailed design process, this standard footprint can deliver a range of types, tenures, and sizes of development and as such this is used as one of the fundamental building blocks for working out the recommended minimum densities.
- 2.26. There is another concern which is broadly concerning the provision of garden space and the opportunities for biodiversity net gain. Whilst not explicit, the representation implies that there is some concern that insufficient space would remain to deliver either or both elements if higher densities were proposed. It is not necessarily the case that densification results in a compromise in design quality, for example through an increase in hard landscaping. Design and landscape policies require gardens and green infrastructure to be delivered. On brownfield sites benefits can be more easily delivered since the ecological and green infrastructure baseline can be poorer than on a greenfield site, depending on the individual site. Removing areas of hard standing, increasing tree planting and other such features can make a suitable impact. These features have been included when considering the test schemes in the stage 3 report.
- 2.27. Within high density (and high rise) urban areas and development schemes, front to front and back-to-back distances are of less significance to a decision maker. The traditional notion of adding 1.5 metres separation for every storey to 21m separation distances is not an appropriate measure within higher density neighbourhoods, otherwise streets and spaces will not be able to function in the manner prescribed by the Framework and National Design Guide. What is not suggested by the density study is an abandonment of any measure of amenity, but the relaxation of some matters, as part of a detailed

case by case basis. This aims to ensure that amenity distances do not become a slavish part of the process, but still retain high quality design and development. Paragraph 125c of the Framework endorses this approach. Further evidence has also been provided as part of the Council's Birkenhead High Density Family Homes Study and will also be included as part of future design guides.

- 2.28. Notwithstanding the above, it is worth recalling that the density study informs the strategic approach to housing density and acts as a starting point for discussions about individual planning applications. This would have to be considered in concert with detailed policies covering many of the points outlined in this response.
- 2.29. Finally, the response considers the impacts of EV charging points, and the difficulties of delivering these where the parking is not on plot. This is a matter of site-specific detail and does not lend itself to the strategic nature of the density policy. Street mounted EV charging points already exist within cities throughout the country, and it seems that stand mounted EV points could easily be installed within parking courtyards and undercroft parking facilities. Of course, each scheme would need to establish its own approach, and matters of EV charging and provision for parking are contained elsewhere in the Local Plan. It is considered inappropriate for such specific detail to form part of a strategic density policy.
- 2.30. *Recommendations:* Additional guidance on EV charging points could be added to Local Plan policies on parking and servicing, otherwise no changes to the density policy are recommended.

Comment E16 (Local Amenity Society)

- 2.31. *Summary of comment:* This is a lengthy response of which the initial belief that the density study report is simply in response to the 'vastly inflated' housing numbers required within the Local Plan. The response also raises concerns over the background and qualifications of the authors. Finally, the response is highly concerned about the implications of such a policy approach on a local 'prized character' although the elements of this and the effects that are anticipated this is not detailed within the response.
- 2.32. *Response to comment:* The density study is not only a response to the overarching approach to delivering housing in the Borough. Regardless of the demands for new housing there is a clear requirement set out in section 11 of the Framework to explore minimum densities and significant uplifts. Even if there was evidence that the housing targets are inflated, then a policy of this type would still accord with the approaches for achieving appropriate densities and making efficient use of land as set out in the Framework. The study has been undertaken 'blind' of any focus on housing numbers or housing strategy and therefore cannot be seen as a reflection of any particular housing strategy.
- 2.33. Fundamentally, the response is highly concerned about the implications on character although no particular areas of character have been identified. The density study has deliberately excluded conservation areas and areas of high environmental value which are identified because of their important character by existing evidence and legislation.

The response considers that the minimum densities proposed would undermine this, especially in areas that have previously benefitted from specific policies limiting density. It should be noted that the density policy that has been drafted and is included in the report identifies a specific requirement for character to form part of the decision-making process regarding density. This reflects the approach set out in paragraphs 124 and 125 of the Framework.

- 2.34. We note that to a certain extent design, density, and character are all subjective professional matters, which can be subject to alternative views but it is unclear what the respondent means when they refer to 'lack of science' in this regard. The authors are experienced and fully accredited urban design professionals. There is no justification provided by the respondent as to why these policies and approaches should be discounted in favour of an alternative approach other than there is some community support for 'no change'. The respondent recognises the importance of the decision makers in determination of individual planning applications. This is not disputed as the minimum densities within the emerging policy are intended to be a starting point for a decision maker to begin discussions about site specific approaches.
- 2.35. References to approaches in London and elsewhere are considered by the response not to reflect Wirral. There is little or no best practice from the north-west. The traditional alternative approach taken by local authorities in the last 10 years has been to release greenfield sites and establish urban extensions to meet housing growth; the very approach that the emerging Local Plan and, it is believed, the respondent seeks to avoid. It is only in places like London (the other example used is Brighton) where such approaches can be seen. The process undertaken to support the Wirral density study has however been locally specific and has spent considerable time trying to 'calibrate' ideas of density around the local circumstances in Wirral based on significant site work, example case studies and neighbourhood analysis by experienced and professionally qualified planners and urban designers.
- 2.36. There is an oblique reference to policies in the existing Unitary Development Plan (UDP) and an assertion that the policies within it are still relevant and should not be altered. These policies no longer comply with chapter 11 of the Framework which seeks to make effective use of land and these issues will now need to be managed by policies within the emerging Local Plan.
- 2.37. *Recommendations:* Changes to the policy are not considered necessary. As with other comments, further explanatory text as to how the policy might be applied in practice might be appropriate. The policy already includes a reference to local character being a consideration as part of any decision about density and this is considered to offer sufficient opportunity for the decision taker to depart from the density policy guidance where this is considered appropriate. The extant low-density policies and the associated designated low-density areas are insufficiently justified in planning terms when measured against the Framework (specifically the aspirations of chapter 11).

Comment E16 (Resident)

- 2.38. *Summary of comment:* This response focuses mainly on the assertion that the 472-bus route should not be mapped as a high frequency bus route and this should change the density zones in and around Heswall. It also notes that the train services from Heswall are not high frequency as service improvements are not planned until December 2021.
- 2.39. *Response to comment:* It is acknowledged that some changes to services and patterns may have occurred since the report was written in late 2019/early 2020. The 471/ 472 appears from the most up to date timetable on Merseytravel website (as accessed in August 2021), to be a high frequency route, albeit the tail of the route to Barnston only operates during mornings and evenings for commuting. There is a frequent and regular bus service throughout the day, including early morning and late-night buses that allow for commuting, as well as leisure. The route connects with a number of local and town centres, shopping and community infrastructure along the route, including a connection to the regional centre of Liverpool.
- 2.40. It should also be recognised that the route along Barnston Road is also served by the 73 service that connects Heswall and Bebington where it is not so well served by the 471/472. The densities zones which are influenced by this bus route are typically 'suburban' and reflect that this is not a perfect service pattern. Some of the density zones closer to Heswall centre are higher zones (transit) given the proximity to other bus transit options (including the more regular 471/472 service in the day) and local services within walking distances for those who have good mobility. The density zones focus on not only frequency, but also on access to services and options for alternative travel.
- 2.41. The proximity of Heswall railway station also assists in justifying the higher densities in these areas (east of Heswall centre) and whilst the respondent states that the improved service on this heavy rail route will not be fully implemented until December 2021, this would seem a sensible timescale for the emerging Local Plan and thus is worthy of inclusion.
- 2.42. *Recommendations:* No changes should be made to the zones as they have been defined as they reflect the current and near future public transport provision.

Comment E19 (Consortium of landowners, housebuilders & development promoters)

- 2.43. *Summary of comment:* This is a lengthy response on behalf of several large volume housebuilders and strategic land companies. A great deal of the material is simply quoting back relevant policies at the national level and the content of the density study and the associated policy. In summary the following broad criticisms are levelled at the study which collectively are considered to make any policy based on the work undeliverable and thus unsound:
- That the work was not subject to effective consultation with landowners and developers directly involved in the delivery of housing in Wirral, and as such the results are not reflective of the true nature of the situation.

- That the work is not reflective of the other evidence within the Local Plan evidence base, specifically the 2018 baseline viability study and the draft Strategic Housing Land Assessment (SHMA) from 2019 (note that the respondent considers that these documents' conclusions are also out of date and there is a requirement for more larger homes).
- That there is insufficient consideration of viability within the study, and that it is not reflective of even the local planning authority's own approach to viability (2018 baseline study) which states that higher density brownfield sites are marginal (note that the respondent has also queried the viability of the Birkenhead Regeneration Framework material which is for others to defend).
- That the study does not effectively consider the work on biodiversity net gain (currently forming part of the emerging environment bill) and the Blue and Green Infrastructure Study that was consulted upon in November 2020 and the implications that would have on the density, likely requiring the densities to be much lower.
- That the study does not focus enough on the local character of the area, and the study of the existing densities is not based on sufficient numbers of case study locations some of which include anomalies that artificially inflate the figures.
- That the average densities on which the assumptions regarding a track record of higher densities are flawed and based on historic data with a many office to residential conversions and Wirral Waters which has dropped significantly in recent years (33dph for permissions, 29dph for delivery).
- That approaches that have been taken by other nearby local planning authorities in developing their plans has not sought fit to include such policy approaches and as such this is unnecessary.
- That the final policy approach is focused on a dwellings per hectare approach, which the Planning Practice Guidance states if 'used in isolation, can encourage particular building forms over others, in ways that may not fully address the range of local housing needs', and local housing needs and character / form should be considered further.

2.44. *Response to comment:* The representation has set out a series of very broad issues that it considers should be addressed, but these lack specificity and are overly repetitious. Each of the points listed above are considered in turn below.

2.45. It is acknowledged that no consultation was undertaken on this specific study during its initial development, but the approach and the reports have now been the subject to detailed consultation which has allowed landowners, developers and local people the opportunity to engage with this material. It would have been counterproductive (a matter borne out by the latter comments made by the respondent) if this was discussed without showing a more strategic approach to the Local Plan. Any comments being received have been considered as part of this pre-submission stage before the reports have been finalised.

- 2.46. The view that the work bears no resemblance to the two other evidence base studies mentioned is contended. The SHMA (January 2020) shows the broad trends in the housing need for both market and affordable units. Almost 20% of the requirement is for flatted accommodation, with 65% requiring a house with the main need being a three-bedroom house. Countless examples of this need can be delivered at a higher density. Even the requirement for larger four bed houses can be delivered at higher density through townhouses / three storey properties – such approaches have been used extensively for almost 20 years. Provision for bungalows can be provided as part of the lower densities in suburban areas, and in areas of densification, infill development could still favour bungalows and other smaller scale developments. The SHLAA pre-dates the density study and will be updated and amended in line with its conclusions.
- 2.47. The density study was not intended to address viability but only to review the Council's existing approach and to recommend where higher densities would be most appropriate. While furthermore up-to-date viability work is ongoing, the concluding paragraphs (6.26-6.28) of the then published viability study seem to suggest that brownfield developments become more viable when built out at higher densities. The housing mix for the higher density developments that was used within the viability study, is also broadly commensurate with the worked examples set out in the stage 4 density study report.
- 2.48. Turning to the matters of biodiversity net gain and green and blue infrastructure, it should not be assumed that density would always result in a 'hard' landscape. This is clearly what could happen if the policy was viewed in isolation, but it is not, and clear design and landscape policies also require gardens and green infrastructure to be delivered. On brownfield sites benefits can be more easily delivered since the ecological and green infrastructure baseline is so much poorer than on a greenfield site. This is demonstrated through several of the test schemes that have been shown, where additional green spaces and gardens are present in place of hard surfacing and post-industrial remnants. Removing areas of hard standing, increased tree planting and other such features can make a suitable impact.
- 2.49. On the matter of the changing nature of the planning applications being submitted. This was not used to demonstrate a trend, but rather that the development of higher densities was possible and deliverable. The review of past permissions shows that higher densities have been delivered in Wirral, nearly all on smaller brownfield and often smaller sites, not typically delivered by volume housebuilders.
- 2.50. Many of the plans and housing strategies of other nearby local authorities pre-date the introduction of chapter 10 (Making efficient use of land) of the Framework in 2019, and those that were adopted shortly thereafter, including the Cheshire West Local Plan Part 2, were examined based on the 2012 version of the Framework. This point was articulated in the first interim report (stage 1 report) that accompanied the regulation 18 consultation.
- 2.51. To assume that the density policy is the only policy that would manage the delivery of density is misleading. Policies throughout the Local Plan dealing with design, green infrastructure, parking etc. will all need to be considered in the planning balance on a

case-by-case basis. The density policy should be used as a starting point for site-specific consideration and the policy to be contained within the Local Plan will have regard to site characteristics including any other necessary policy constraints. The local planning authority has also commissioned further design guidance on how best to deliver higher densities and designs throughout the Borough and the BRF work is extensive in its further testing of the sites around Birkenhead from a design consideration.

- 2.52. *Recommendations:* Further information within the explanatory text of the Local Plan could be provided to show the relationship between the other baseline studies. Viability is a strategic plan-wide matter which is not simply about density (although the evidence suggests higher densities will help) so no further changes are required. The Council's housing delivery strategy is the most appropriate vehicle for testing the overall approach of the Local Plan.

Comment E24 (Landowner/developer)

- 2.53. *Summary of comment:* The minimum density policy is supported in addition to the focus on the regeneration of previously developed land. It is considered that the study needs to better ensure that sites are available, developable, and deliverable and that higher densities don't compromise sustainable living and design standards. The viability of previously developed sites should be taken into account and so further work is suggested to assess this prior to completion of the Local Plan.
- 2.54. Concern is raised regarding the potential impact of the proposals on local character particularly within the waterfront and transit zones.
- 2.55. It is considered that there is a conflict between the housing density policy and sustainable development and other Local Plan policies. High reliance on windfall development will not result in sustainable housing delivery where it is needed most. Covid has resulted in greater demand for houses compared to apartments.
- 2.56. The respondent does not support the approach of applying the housing density policy to the gross developable area of the site rather than the gross site area or net site area. The study has not considered building standards, Nationally Described Space Standards, cycle and bin storage, housing mix, electric vehicle charging, design codes and Neighbourhood Plans, tree lined streets, biodiversity net gain, access and highways or the Future Homes Standards.
- 2.57. It is important that housing mix responds to local need and market demand, for example, there is a need for bungalows as set out within the Strategic Housing Market Assessment (SHMA) 2020. The SHMA 2020 shows that demand is mostly for lower density housing. Too much focus has been placed on trying to avoid the loss of Green Belt land.
- 2.58. A site in the Green Belt at Thurstaston Road, Irby is being promoted by this respondent. They consider that the over reliance on previously developed land to meet the identified housing need is not sound and so greenfield sites will need to be released. Thurstaston Road is considered to meet the tests for sustainability and should be located within the urban edge density zone.

- 2.59. *Response to comment:* We are unclear how the proposal for higher density development in accessible locations and the key recommendations are intrinsically at odds with sustainable development. The main focus of the density study was to ensure homes are provided in the most sustainable locations.
- 2.60. As the study demonstrates, responding to the identified housing mix is not at odds with provision of higher densities as different forms of dwelling can be provided in a variety of ways not exclusively linked to lower densities.
- 2.61. Reliance on windfall sites is not a matter for the density study but instead for the Council's overall housing strategy. The density study simply identifies geographical locations in which higher densities could be supported due to access to services, facilities and public transport. It is therefore not clear how the density study could result in homes not being provided where they are needed, also a matter for the wider housing strategy. The inclusion of gardens, working space and car parking is a detailed design matter which is outside the strategic remit of the density study.
- 2.62. The proposed site at Thurstaston Road has not fallen within any recommended density zone as it is in the Green Belt located on a low frequency bus route and away from main service centres.
- 2.63. *Recommendations:* Based on the above assessment it is not recommended that any changes are made to the density study or the associated policies.

Comment E28 (Local amenity society)

- 2.64. *Summary of comment:* The comments are submitted in two parts. The first focuses on general comments in response to the density study whilst the second provides an in-depth analysis of the density figures provided.
- 2.65. Part 1 general comments - The group remain opposed to the overall housing requirement and in part believe this to be supported by the local planning authority's identification of enough brownfield land to meet the housing requirement. They consider that this is contrary to the findings of the density study and there therefore is no actual need to increase density or find more land for housing. The group believe that instead, focus should be on improving the existing housing stock although no further detail is provided as to how or why.
- 2.66. The key concern of the group is that the density study offers no solution as to how local character can be retained and they consider the proposed approach to density is too rigid. They ask why a minimum density figure is needed at all and state that such decisions should be made on a site-by-site basis.
- 2.67. The group add that they do not consider the study has factored in all 'arms' of sustainability and that it focuses on economics alone. They believe that no consideration has been given to amenity, open space or public realm.
- 2.68. Support is however, given to the premise that higher densities do not necessarily mean apartments, but they remain concerned that a 1km walk to a train station is not possible for all people - some are less physically able to walk such a distance. However, they

raise concern that a proper assessment of the whole of Wirral taking such factors into account would be too time consuming.

- 2.69. Part 2 more locally specific comments – The group contend the frequency of the train services stated in the density study and raise concern regarding the availability of disabled parking. They are resistant to backland development and remind us that in the past so has been the local planning authority. They argue that seeking the agreement of local residents in each area before such changes in character are made is key. Finally, they raise concern that the study ignores that some sites or parcels of land are in the Green Belt and overall feel the study is too broad brush.
- 2.70. Density comments - The group feel that the existing planning process already enables appropriate densities to be arrived at whilst properly considering local factors. They add that such decisions on density should not be made based on an arbitrary figure. They consider the density figures to be arbitrary and lacking in evidence particularly in relation to local factors.
- 2.71. The group have expressed concern regarding use of the word 'significant' in relation to the uplift in density needed and they oppose the use of minimum densities. They feel a cautious approach to density should be continued but are happy with the higher densities proposed by the Birkenhead Regeneration Framework (BRF). They state that the work needs to be more specific rather than a coloured location on a plan.
- 2.72. The group feel the SHLAA 2020 and Annual Monitoring Report (AMR) 2020 should be made available for public comment, and query whether the information in those documents is up to date.
- 2.73. *Response to comment:* The density study is only intended to recommend areas where higher densities could be supported due to their accessible location. It is not the purpose of the density study to determine issues related to the wider housing strategy for the Borough. The use of 'minimum densities' and 'significant uplift' is advocated by national policy in paragraph 125 of the Framework.
- 2.74. Although the density study identifies a series of zones where higher densities would be appropriate, in practice the determination of the final density appropriate for each site will take place on a site-by-site basis, through the planning process, as the group suggest.
- 2.75. The density study has been based on relevant information and research both locally and across the borough as a whole. The categorisation of high frequency and low frequency bus and rail routes is defined within the document and is based on the public information available on the websites of relevant service providers. The recommended density figures form part of a consistent staged approach and areas where higher density would not be appropriate have excluded.
- 2.76. The density zones have been prepared by considering all 'arms' of sustainability by focusing on the most sustainable locations in proximity to shops, amenities and public transport. While not all residents will be able to walk 1km to access a service or facility this distance is based on a walk of between 10 and 15 minutes and as the available best practise guidance cites a distance between 800m and 1.2km is the ideal.

- 2.77. The comments regarding the availability of the SHLAA 2020 and AMR 2020 are not relevant to the density study. Amenity, open space, public realm and the availability of parking are matters that will be addressed through other policies in the Local Plan.
- 2.78. *Recommendations:* The explanatory text to the policy in the Local Plan could be adapted to make it clear that the density study is a starting point for discussions and that any final decisions will be undertaken on a site specific basis during the planning application process.

Comment E29 (Representatives of national and local amenity societies)

- 2.79. *Summary of comment:* The aim of the density study is supported in that it seeks to make more efficient use of land in urban accessible places and will help avoid loss of green field sites. Broadly the groups agree with the findings of the study and feel that historically, densities have been too low.
- 2.80. They support the concept of 'density zones' but want to see more flexibility within the density study. Local considerations should be included such as landscape character, heritage, and ecology. The representation does however, support the study's consideration of conservation areas and agree that historic approaches to parking are out of date. Local distinctiveness should be protected and enhanced. The approach to higher densities as depicted should result in less green field land being needed.
- 2.81. They support the higher densities at Birkenhead waterfront and urban core and the BRF but want to make sure that those homes built at higher densities have access to quality green space and green infrastructure. They finish by reasserting that they object to the housing target.
- 2.82. *Response to comment:* Generally, this comment is in support of the overall aims and objectives of the density study and in particular the aim of making more efficient use of land. Their concern regarding the flexibility of the density zones and the related policy reflects comments made by other respondents. Similarly, our response is that through the policies of the Local Plan and the planning application process an assessment of appropriate densities that will take full account of local distinctiveness will take place on a site-by-site basis. The density zones are intended to be a starting point for this process.
- 2.83. The density study is not intended to address matters related to the wider housing strategy for the Borough. Landscape character, heritage, ecology, green space and green infrastructure are matters that will be addressed through other policies in the Local Plan.
- 2.84. *Recommendations:* Based on the above assessment it is not recommended that any changes are made to the density study or the associated policies.

Regulation 18 Comment – Area to south-west of Heswall town centre

- 2.85. *Summary of comment:* This comment relates to an area identified within the proposed urban core and town centre density zone to the south west of Heswall retail centre. The comment states that perhaps a review of the density zones should be undertaken to

take account of factors such as topography. Giving this part of the Heswall the urban core and town centre density zone as an example where the pedestrian route to the retail centre is uphill.

- 2.86. *Response to comment:* Whilst topography is a factor that could be considered when assessing the accessibility of a site at the planning application stage, it is too detailed a matter for the density study to consider. The density study provides a strategic overview to suggest areas in which higher densities are likely to be most appropriate. To assess the whole borough at this level of detail would not be a good use of resources as this and other factors of this type are much better approached at the planning application stage.
- 2.87. *Recommendations:* Based on the above assessment it is not recommended that any changes are made to the density study or the associated policies of the Local Plan.

Regulation 18 Comment – Noctorum field development

- 2.88. *Summary of comment:* The comment states that prior to density zones being set the existing local character of each area should be appraised. Specific reference is made to a site at Noctorum, known as Noctorum Fields, and concern is raised that high density in this location would be inappropriate due to the impact on local character. The comment requests further information on how the existing character will be addressed through the detailed policy wording.
- 2.89. *Response to comment:* The comment raises concern generally that the density study has not taken existing character into account. The role of the density study is strategic and so site-specific consideration of local character is too detailed a factor to be considered at this stage. Such considerations are, however, an important factor at the planning application stage. Specific reference to the site at Noctorum Fields is therefore not relevant to the density study. However, it is worth noting that the site in question is not located within any of the recommended density zones due to its lack of access to services, facilities, and public transport.
- 2.90. *Recommendations:* Based on the above assessment it is not recommended that any changes are made to the density study or the associated policies of the Local Plan.

3. Concluding comments & observations

- 3.1. The following section seeks to highlight several common comments or observations made by individual respondents. These collectively showcase the principal comments made in response to the density study.

Conflation of the density study with the overarching housing strategy

- 3.2. Many of the comments received sought to conflate the density study with other elements dealt with in the housing strategy for Wirral. Whilst the housing targets that have been identified may mean a more pressing need for higher densities, the approach now advocated within chapter 11 of the Framework would require any Local Plan, particularly in areas with Green Belt, to demonstrate that it would make the most effective use of previously developed land (paragraph 119 and paragraph 141).

Specific alterations or amends to the density zones, to include or omit areas

- 3.3. Several comments suggested that there should be an amendment to one or other of the boundaries of the recommended density zones. These were mainly advanced by residents who felt that certain areas should be excluded from the higher density zones. In the main these were associated with suburban and transit density zones adjacent to traditional lower density suburban neighbourhoods. The study is based on a strong methodology, which has allowed a robust approach to be taken to each challenge.
- 3.4. One respondent did advance a brownfield site adjacent to the A41, that could be built to higher density but was not covered by the density study. Whilst the rationale behind this area not being included does not mean that the local planning authority could not allocate this site for higher density, the study clearly shows that significant community and public transport infrastructure would be required to allow it to meet the requirements for higher density developments as set out in chapter 11 of the Framework. Developing policies for site-specific land allocations is beyond the scope of the density study.

The study does not effectively consider viability and deliverability

- 3.5. Previous comments have shown how the study complies with the broad findings of the 2018 viability study (baseline), insofar as this document suggests that higher densities will improve the overall viability of brownfield sites. Nevertheless, it is for the local planning authority and not the density study to demonstrate that any final proposal will be viable across the Local Plan as a whole.
- 3.6. The study of previous local schemes (see stage 1 report) has shown that higher density schemes can and have been delivered in Wirral. As a side note, the responses on viability have all been advanced by the larger house builders and strategic land promoters and there have been few, if any responses from the smaller local and regional builders who are the normal providers of this type of development.

The study lacks consideration of specific local character

- 3.7. Many respondents were concerned that the density study does not take account of specific local character. Whilst it is acknowledged that decisions about individual planning applications that come forward will need to take account of site-specific local character; this point is already identified within the recommended draft density policy itself. However, as noted the density policy is only one policy that would influence the approach to designing and delivering sites. The Local Plan also includes a suite of other design and amenity policies which will allow the decision maker the opportunity to explore a balanced approach using the density study as a starting point. In this regard, the density policy should be seen as being 'strategic' in its policy goals, and the specifics of local character and location effectively managed by other policies in the Local Plan as part of the consideration of individual planning applications.
- 3.8. Some respondents have commented on the removal of the extant UDP policies on low density housing areas, of which only two currently remain (the others have since been designated as conservation areas). Whilst it is acknowledged that these policies currently exist, they no longer comply with national policy on making efficient use of land and will need to be replaced by more up-to-date policies in the Local Plan.

Specific additional detailed design and development criteria not considered.

- 3.9. Many respondents have suggested several matters that should be considered as part of enhancing and fine tuning the practical implementation of the findings of the density study and the eventual Local Plan policy. These range from matters of local character, specific accessibility and house type approaches and blue and green infrastructure. These are all important aspects of delivering good design and placemaking, alongside aspects of density but will need to be addressed in other policies in the Local Plan.
- 3.10. The matters chosen for consideration within the density study are those that are of strategic importance including access to community infrastructure, local shopping opportunities, public transport accessibility and designated natural and heritage assets. Detailed design and development matters including housing mix, green infrastructure, parking, and servicing are considered as part of the stage 4 report. It is considered that other policies within the Local Plan, including a new design guide currently under production, will collectively help to ensure quality is delivered and these detailed matters are appropriately considered when planning applications are submitted.



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