



**Oxford – Development and Planning**

Strutt & Parker  
269 Banbury Road  
Oxford  
OX2 7LL  
Telephone 01865 366660

[oxford@struttandparker.com](mailto:oxford@struttandparker.com)  
[www.struttandparker.com](http://www.struttandparker.com)

---

**Planning Statement**

**Site G: Land East of Raby Hall, Raby Hall Road, Raby Mere**

---

**Prepared on behalf of:**

**Leverhulme Estates Limited**



**LEVERHULME**

May 2022 version 5.1

Report prepared by:

ATWAMLEY

Arron Twamley MRTPI

Report checked and approved by:

Simon Handy

Simon Handy BA (Hons) MPlan MRTPI

This report has been prepared for the exclusive use of our client and unless otherwise agreed in writing by Strutt & Parker, no other party may use, make use of, or rely on the contents of this report. The report has been compiled in accordance with the scope of work agreed with the client. No liability is accepted by Strutt & Parker for any use of this report, other than the purpose for which it was prepared. This report is only valid as at the date of the report. The report does not account for any changes relating to the subject matter of the report, or any legislative or regulatory changes that have occurred since the report was produced and that may affect the report and we are not under any obligation to update the report to take account of events occurring or information received after the report has been delivered in final written form.

---

## Contents

---

1.0	Introduction	4
2.0	Site Context and Planning History	6
3.0	Proposed Development	9
4.0	Background / Pre-Application Advice & Stakeholder Engagement	17
5.0	Planning Policy	24
6.0	Scheme Justification / Planning Policy Assessment	33
7.0	Planning Balance and Conclusion	78

### Appendices

1. Summary of relevant policies from the Wirral Borough Council Development Plan

## 1.0 Introduction

---

- 1.1 This Statement has been prepared in support of an application to Wirral Borough Council (“**Wirral Council**” or “**WBC**”) seeking outline planning permission for the development of Land West of Raby Hall, Raby Hall Road, Raby Mere (“**the Site**”) consisting of up to 80 market and affordable residential (“**the proposed development**” or “**the proposal**”). A full description of the proposal is provided in section 3.0 below.
- 1.2 The Statement has been prepared by Strutt & Parker on behalf of Leverhulme Estates Limited (“**Leverhulme**” or “**the applicant**”). It outlines the background to, and the justification for the proposed development, in the context of relevant planning policy and other material considerations.
- 1.3 This application is part of a suite of eight planning applications submitted by Leverhulme as its Phase One proposals to implement the Leverhulme Vision.
- 1.4 At this stage, therefore, all matters except access are to be reserved, although the application does seek to set overarching parameters for the site’s development.

### Strategic Supporting Documents

- 1.5 Various strategic documents are also provided as an ‘umbrella’ over all eight ‘Phase One’ planning applications by Leverhulme:

Document	Author
The Leverhulme Vision	Leverhulme Estates Limited
The Leverhulme Design Charter	Leverhulme Estates Limited
Analysis of Green Belt Very Special Circumstances	Strutt & Parker
Summary of Green Belt Reviews on the Wirral	Barnes Walker
Cumulative Transport Assessment	Curtins

Table 1: Strategic Documents forming part of the Planning Application

## Format of Planning Statement

1.6 This Statement is structured as follows:

- **Section 2.0** discusses the site context and planning history;
- **Section 3.0** describes the proposal in detail;
- **Section 4.0** sets out the background to the proposal, focused on the Leverhulme Vision, and the pre-application stakeholder engagement undertaken to date;
- **Section 5.0** sets out the planning policy context;
- **Section 6.0** provides an assessment of the proposal against relevant planning policies, and other material considerations
- **Section 7.0** presents the planning balance associated with the application and an overall conclusion.

## 2.0 Site Context / Planning History

---

- 2.1 This application relates to land edged red on Figure 1 below “the Site” extending to 3.69 hectares. The site lies between Blakeley Road to the east, Raby Hall Road to the south, Raby Hall to the west, and woodland to the north. The exact location is shown within figure 1.

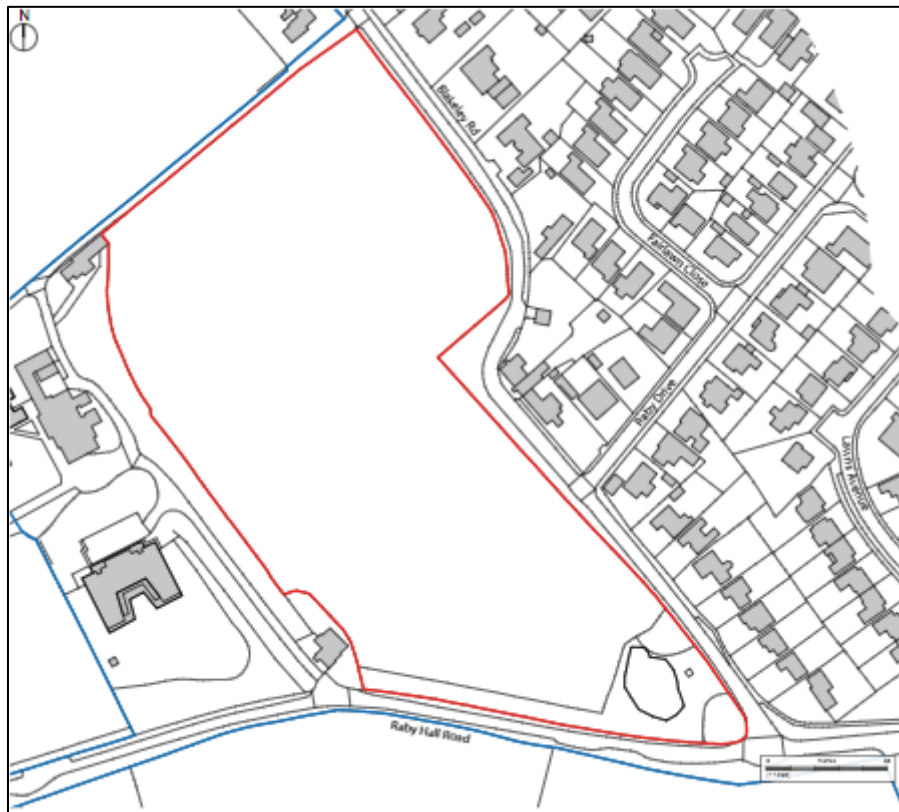


Figure 1: Location plan:

### The Application Site

- 2.2 The application site comprises agricultural land which lies adjacent to the built-up area of Raby Mere/Bromborough. The site lies to the south-west of Blakeley Road and to the north of Raby Hall Road. The western boundary adjoins the Autism Together (herein “AT”) campus comprising Raby Hall and associated buildings, car parking and outdoor educational facilities. AT provides specialist education and care facilities including residential accommodation for Wirral families. The north-western boundary

is defined by the access road to AT and woodland which lies to the south of Raby Mere Lake. Bromborough Golf Course is to the immediate south of Raby Hall Road.

- 2.3 Vehicle access for farm vehicles is currently provided via an agricultural farm gate on the southern perimeter.
- 2.4 The site is a short distance from the large residential neighbourhood of Bromborough which lies to the east of Blakeley Road. The residential properties of this neighbourhood generally date from the suburban expansion of the 20th Century. They are typical of their period and comprise detached two storey or single storey properties.
- 2.5 The site is positioned at the edge of the urban area within accessible walking/cycling distance to a range of existing retail and community facilities. Bromborough local centre on Allport Road can be reached within 15 minutes' walk or 5 minutes cycle ride.
- 2.6 There are number of bus routes which serve the area. The 16 and 17 serve Blakeley Road (which are the same route in different directions), running between Eastham Rake and Arrowe Park Hospital, every hour. The 41 and 42 (also the same route in different directions), run between Eastham Rake and Woodchurch, via Birkenhead, every 30 minutes. The nearest bus stop is at the corner of Brookhurst Avenue and Allport Road.
- 2.7 The nearest railway station is Bromborough, which is 1.2km away. On weekdays, there are four trains an hour to Liverpool, two to Chester and two to Ellesmere Port.
- 2.8 In short, the site is in a highly sustainable location.
- 2.9 In terms of heritage assets, there are no designated or recorded non-designated assets within the site. The Site does however comprise remnant historic field boundary ditches, features relating to post-medieval/modern agriculture including LIDAR anomalies attributed to this period; and unknown buried remains.
- 2.10 Within the locality there is one designated heritage asset identified as having the potential to be affected by the development through settings change (no harm identified through assessment); this comprises Poulton Hall (NHLE 1343498). There is also a non-designated heritage asset identified as having the potential to be affected



by the development through settings change; this comprises Raby Hall (MME2940) located to the west of the Site (low harm identified, not expected to preclude development).

### **Planning History**

2.11 There is no relevant planning history indicated through WBC's Public Access Search.

### 3.0 Proposed Development

3.1 Outline planning permission, with all matters reserved except for access, is sought for:

**Residential development for up to 80 dwellings (Use Class C3), including 30% affordable housing; delivery of green infrastructure including a new open green space and play area, wildlife habitats and green corridors; and off-site environmental, biodiversity and accessibility enhancements.**

3.2 The illustrative masterplan by Alan Baxter Limited (drawing no. 1815/01/904 Rev B, reproduced below) demonstrates how the Site could be developed to provide up to 80 dwellings, responding to the constraints and opportunities of the site in accordance with best urban design practice. Full details of the proposed design approach are set out in the Design and Access Statement.



Figure 2: Illustrative Masterplan

- 3.3 The masterplan layout is strongly landscape-led; structured around the retention of mature hedgerows, trees and a pond at the site boundaries and the creation of a network of internal residential streets which enable easy walking and cycling connections with the surrounding residential area and AT.
- 3.4 The proposed masterplan incorporates the following key features:
- a) Tree-lined streets fronted by a mix of 2-to-4-bedroom houses with front and rear gardens. Streets will be arranged to create views towards green spaces and historic properties outside the site.
  - b) New homes that are set back from the woodland to the north behind a new hedge and trees.
  - c) An apartment building at the site entrance, sensitively designed to look like a larger house.
  - d) Smaller terraced houses arranged to frame the corner of Blakeley Road and highlight the existing memorial fountain.
  - e) Open public green spaces that will contain wildflower grassland, wetland habitats and public footpath.
  - f) A play area which can be accessed by the wider community.
  - g) Woodland and pond habitats at the south of the site will be retained and expanded so to ensure the preservation and enhancement of the site's biodiversity.
  - h) A drainage basin that captures surface water run-off and creates a wetland habitat in the north of the site.
  - i) The retention of existing hedgerows and trees at the edges of the site within green corridors and gardens.
  - j) The retention and improvement of the existing footpath to the AT centre.
  - k) A new footpath within the site to Blakeley Road.
  - l) A new footpath connecting the existing right of way to the south of Raby Hall Road.
- 3.5 Around 1.0 Ha (37%) of the site is proposed for green and blue infrastructure ("GBI") including walking routes. GBI is located as a wide corridor along the southern boundary providing a landscape buffer to Raby Hall Road and Bromborough Golf Course. The open space will include a play area as well as informal footpaths. A further public open

space is occupying the north eastern part of the site with a 10m buffer zone along the northern boundary.



Figure 3: Proposed Landscape Plan

3.6 The proposed landscape strategy for the site includes:

- a) A green space to the south of the site which retains the existing trees, hedges, pond and informal footpath and expands the areas of habitat. An inclusive, Locally Equipped Area of Play (LEAP, of approximately 400sqm) is created as part of this green corridor.
- b) An area of green open space at the north east corner of the site incorporating sustainable drainage attenuation feature to capture surface water run-off. It will be designed as wetland habitat and will create an attractive setting for the nearby cottage.
- c) Buffer zone to the Site of Biological Importance to the north incorporating new hedge and tree planting.

- d) Retained trees and hedgerows at the site boundaries, with short sections removed to enable access for pedestrians and for the vehicle junction.
- e) Compensatory tree and hedgerow planting within the site to mitigate any loss of habitat including the removal of T9 ash, T10 sycamore and T11 ash trees (all category C) and a small section of boundary hedgerow along Blakeley Road and centrally located T1 goat willow tree (category C).
- f) All streets will be planted with street trees or trees in front gardens to provide urban cooling and an attractive leafy character. The arrangement of street trees and species selection will reflect the proposed character of individual streets with a focus on smaller, ornamental species internally and larger species at the margins.
- g) Houses will have planted front and rear gardens, including the provision of a fruit tree for each property.
- h) The development will seek to more than double the existing tree canopy cover of the site, to help meet the commitments of Wirral's Tree, Hedgerow and Woodland Strategy.
- i) Public spaces and play area will be designed to be DDA compliant, inclusive and welcoming to all ages and abilities.
- j) Off site, Leverhulme will invest in the tree corridor planting and enhancements to existing hedgerows in their rural estate to the west which connects with and extends the existing Raby Mere SBI habitat.

3.7 Should outline permission be granted, the reserved matters process will be guided by the Leverhulme Design Charter as well as planning conditions and s.106 obligations.

## Development Parameters

3.8 Formal approval is sought now for a series of development parameters, as shown on Alan Baxter drawing 1815/01/909 Rev C (reproduced below):



3.9 The overall scheme defines a set of parameters which will be secured at reserved matters stage in order to ensure delivery in line with these proposals. The proposed development parameters comprise:

- Development of up to 80 residential dwellings.
- Provision of a LEAP play area within a green corridor in the southern part of the site.
- Retention and enhancement of a connecting footpath between Blakeley Road and Autism Together and provision of an informal pedestrian crossing over Blakeley Road.
- Access to the site in the form of a priority junction onto Blakeley Road in the southern part of the site.

- e) Creation of five additional pedestrian access points from the site to the surrounding streets.
  - f) Provision of an appropriate habitat buffer to the Site of Biological Importance to the north of the site and to the existing pond and copse in the south east.
  - g) Retention of high and moderate quality trees and hedgerows, except small sections of hedgerow that will be affected by the proposed new access junction and pedestrian and a small number of poor-quality trees. In order to address this loss, compensatory tree planting will be provided within the site.
  - h) Provision of sustainable drainage features comprising a drainage basin and wetland habitat in the lowest part of the site.
  - i) Retention of high and moderate quality trees and hedgerows, except small sections of hedgerow that will be affected by the proposed new access junction and pedestrian and a small number of poor-quality trees. In order to address this loss, compensatory tree planting will be provided within the site.
  - j) Provision of sustainable drainage features comprising a drainage basin and wetland habitat in the lowest part of the site.
- 3.10 Setting out the development parameters as part of this application provides WBC with sufficient certainty regarding the broad form of the eventual development, and flexibility in that a range of details will be subject to further approval as part of the reserved matters process.

### **Access Arrangements**

- 3.11 Reference should also be made to the submitted Access Arrangement plan by Curtins (drawing no 078245-CUR-00-XX-DR-TP-75001-P02) and the submitted Access and Movement Parameter Plan by Alan Baxter Limited.
- 3.12 Vehicular access for the proposed development is to be provided directly from Blakeley Road in the form of a priority junction arrangement. The junction has been designed in accordance with WBC's Adoptable Residential Roads Specifications and the relevant design standards. The access provides pedestrian infrastructure in the form of 2m wide footways, and an informal pedestrian crossing complete with dropped kerbs and tactile

paving that connects onto the existing footway provision along the eastern side of Blakeley Road.

- 3.13 A detailed swept path assessment has been undertaken on the proposed access arrangements to ensure they can be suitably accessed by service and emergency vehicles should this be necessary (please see Curtins drawing 078245-CUR-00-XX-DR-TP-75001-P02).
- 3.14 It is not considered the proposed development would have a material impact on the surrounding highway network. No junctions on the adopted highway network would experience an increase of 30 two-way vehicular trips per hour. This threshold is widely accepted by transport professionals as the threshold at which detailed assessment should be considered.
- 3.15 Pedestrian only lanes runs parallel to Blakeley Road and the driveway to the north of the site, providing a safe pedestrian route where no existing footway is available. The pedestrian lanes are set back behind the existing hedges and provide direct access to property frontages, connecting with the internal street network of the site.
- 3.16 Once on the wider street network, pedestrians will be able to access residential areas in Raby Mere and Bromborough; an approximate 1,200 km walk east provides access to Bromborough where there is a collection of shops along Allport Road.
- 3.17 Parking will be provided in accordance with the maximum standards set out by Wirral Borough Council's Supplementary Planning Document. Parking is generally provided on plot, to the side of properties to minimise the visual impact of parked cars on the street frontage. Where terrace properties are proposed, parking will be to the front of properties or in rear courtyards.
- 3.18 Parking for bicycles will be provided in line with Borough standards in accessible locations on plot and serving public green spaces. Electric vehicle charging points will be delivered as part of the development in line with local and national standards.

### **Environmental Impact Assessment (“EIA”)**

- 3.19 An Environmental Statement (“ES”) in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 accompanies this application, and should be read together with the other submitted material. The assessment has been carried out by Strutt & Parker, together with technical specialists who have led and authored the technical assessments.
- 3.20 The ES has been prepared in line with the letter from Merseyside Environmental Advisory Service dated 17<sup>th</sup> January 2022 responding to Strutt & Parker’s Request for an EIA Screening and Scoping Opinion. The letter confirms that the proposed ES structure is acceptable based on the following chapters: Population and Human Health; Transport and Access; Landscape and Visual; Cultural Heritage; Ecology; Noise; Air Quality; Agricultural Land and Cumulative Effects.

### **Habitat Regulations Assessment (“HRA”)**

- 3.21 A Habitat Regulations Assessment (“HRA”) screening report accompanies this application (Stage 1 of the HRA process), which provides information to assist the Council, the ‘Competent Authority’, in carrying out a HRA in accordance with the EU Habitats Directive (92/43/EEC) to determine whether or not the proposed development would have a likely significant effect on those European conservation sites and Ramsar sites that fall within a 10km radius of the site, either alone or in combination with other plans or projects.
- 3.22 The conclusion of the Stage 1 HRA is that the Council, as Competent Authority, if it is minded to grant planning permission for this application, will need to undertake an Appropriate Assessment in respect of in combination recreational effects on the Dee Estuary SPA only. Leverhulme will assist the Council in that process by providing information to inform the Council’s Appropriate Assessment identifying the suitability of the Suitable Alternative Natural Greenspace (“SANG”) proposed as part of Phase One of the Leverhulme Vision (subject to a separate planning application).

## 4.0 Background / Pre-application Advice and Stakeholder Engagement

---

### The Leverhulme Vision

- 4.1 Leverhulme has been part of the fabric of Wirral life for over 130 years, originating and delivering two of the most iconic settlements in Wirral at Port Sunlight and Thornton Hough. Today, Leverhulme is responsible for the long term, sustainable management of over 2,000 hectares of land at the heart of Wirral, stretching from Heswall and Irby in the west to Bebington in the east.
- 4.2 The portfolio includes agricultural land, footpaths and bridleways, sports and leisure facilities and thriving rural enterprises. Leverhulme is also the custodian of numerous listed buildings and provides over 150 homes for local people, alongside care and respect for the estate's historic character.
- 4.3 Leverhulme is therefore in the unique position of being able to offer land to support Wirral's housing growth targets, while still retaining the vast majority of its rural landholding.
- 4.4 This site is one of eight at the edges of the existing urban area, for which planning applications are submitted concurrently. These further sites are as follows:
- Site A) Land east of Glenwood Drive, Irby.
  - Site B) Land east of Dale View Close, north of Gills Lane, Pensby.
  - Site C) Land east of Thorncroft Drive, north of Gills Lane, Pensby.
  - Site D) Land west of Barnston Road, north of Gills Lane, Pensby.
  - Site E) Land at Milner Road and Barnston Road Heswall.
  - Site F) Land west of Raby Hall, Raby Hall Road, Raby Mere.
  - Site H) Land east of Rigby Drive, Greasby.
- 4.5 The submission package also includes a planning application for the provision of a Sustainable Alternative Natural Greenspace ("SANG") on land east of Pensby and west of Barnston.

- 4.6 Taken together, this package represents Phase One of Leverhulme's three phase strategic approach and will deliver a total of up to 1,038 homes within the first five years of the Local Plan to assist WBC in meeting its five-year housing supply target. Phase One is consistent with Phase Two, which will be promoted through the Examination in Public into the Wirral Local Plan 2021-2037- Submission Draft, and with Phase Three which will be promoted in subsequent plan reviews.
- 4.7 Leverhulme aims to ensure that any development of its land will make Wirral a better place for people, both for today and for generations to come. This will be achieved through a strategic, estate-wide approach, which looks outside the red-line boundary of individual sites to provide sustainable growth alongside significant enhancements to green infrastructure and accessibility.
- 4.8 This estate-wide approach is described in The Leverhulme Vision, April 2020 (submitted with this application as a Strategic Document). The proposal for this site is fully aligned to these wider objectives.
- 4.9 The key points of the Leverhulme Vision can be summarised as follows:
- Beautiful homes for Wirral residents*
- 4.10 Land at the edge of the rural estate has the potential to offer a highly attractive living environment which complements the urban area; leafy streets with generous gardens and easy access to the rural footpath and cycling network.
- Communities not just homes*
- 4.11 Leverhulme seeks to create exemplary neighbourhoods which have vitality, wellbeing and a sense of belonging at their heart and which are recognised as wonderful places to live.
- A modern, biodiverse agricultural estate*
- 4.12 The vast majority of Leverhulme's landholding will remain agricultural. Farming is having to adapt in response to changing agricultural policy, and the climate and biodiversity needs. Leverhulme has developed an estate-wide green infrastructure plan, including plans to assist the evolution of farming practices and to deliver improved access and net gains in biodiversity which go beyond current Government requirements. Specifically,

development will deliver a net gain of 1.45 habitat Biodiversity Units (equivalent to a 10.22% increase) and a net gain of 0.99 hedgerow Biodiversity Units (equivalent to a 27.72% increase) through on-site enhancements.

- 4.13 In addition to on-Site biodiversity gains and on balance of impacts and habitat creation/enhancement, the report also concludes that the off-site measures linked to the Leverhulme Vision will result in an additional net gain of 11.45 habitat Biodiversity Units (equivalent to a 91.96% increase) and 1.29 hedgerow Biodiversity Units (equivalent to a 100% increase) on the Offset Site.

#### *Health and wellbeing*

- 4.14 Leverhulme has the ability to increase public access to the rural landscape, including improvements to existing footpaths, new off-road cycleways and footpaths, and the creation of new publicly accessible conservation areas. This includes the creation of Cycle Supergreenways connecting rural and urban Wirral. Interaction with nature and active leisure are increasingly recognised as being essential to both the mental and physical health of adults and children. This is a real area of opportunity to enhance the quality of life that is on offer for all residents of Wirral.

#### *Connected infrastructure*

- 4.15 Leverhulme land can be used to facilitate improved east west connectivity and to relieve localised congestion hotspots. Comprehensively planned development can support improved bus and rail services.

#### *Thriving rural economy*

- 4.16 The centre of Wirral is home to a number of village communities including Thornton Hough, Raby, Brimstage and Storeton. The future economy and vitality of these villages can, through effective planning, be supported by enhanced connectivity, farm diversification and support for rural and community enterprises.

#### *Leisure and tourism*

- 4.17 Leverhulme's vision involves new walking and cycling leisure trails as part of the green infrastructure plan to widen Wirral's appeal to visitors, reveal its heritage and places of interest and support the local economy. As the farming economy evolves there are

opportunities for further diversification projects to ensure historic farm buildings have a viable long-term use.

### **The Leverhulme Design Charter**

- 4.18 Leverhulme has also published a Design Charter which is also submitted with this application as a Strategic Document. It sets out Leverhulme's commitment to delivering beautiful and long-lasting living environments in line with the requirements of the NPPF, the guidance of the National Model Design Code<sup>1</sup> and the recommendations of the Building Better, Building Beautiful Commission<sup>2</sup>.
- 4.19 The ten commitments to sustainable placemaking respond to the Model National Design Code and reflect the heritage and ethos of Leverhulme. They are as follows:
- 1. Context*
- 4.20 To respond directly to the special character, culture and heritage of Wirral and the setting, constraints and assets of each site;
- 2. Movement:*
- 4.21 To develop places where residents' health and wellbeing is supported by prioritizing walking and cycling. To create integrated places by connecting new neighbourhoods with the surrounding street network. To support Wirral Council's aim for fossil fuel free local travel by 2030;
- 3. Nature*
- 4.22 To make green spaces, trees, hedgerows and gardens core characteristics of every Leverhulme neighbourhood for the benefit of the environment, climate and community wellbeing. To bring significant environmental gains to Wirral through enhancement of habitats across the rural Leverhulme estate;

---

<sup>1</sup> <https://www.gov.uk/government/publications/national-model-design-code>

<sup>2</sup> <https://www.gov.uk/government/groups/building-better-building-beautiful-commission>

#### *4. Built Form*

- 4.23 To create new neighbourhoods of moderate densities and human scale which fit comfortably with their surroundings and their location at the urban/rural edge;

#### *5. Identity*

- 4.24 To establish neighbourhoods which are distinctively Wirral with a beautiful and bespoke character reflecting the Leverhulme vernacular and the surrounding area;

#### *6. Public Space*

- 4.25 To create public spaces and streets which are welcoming and safe, and which support community interaction and cohesion;

#### *7. Uses*

- 4.26 To create a broad mix of homes and flexible spaces for non-residential uses across the estate. This will bring vitality, support health and wellbeing, rural enterprise, community organizations and community cohesion;

#### *8. Homes and Buildings*

- 4.27 To create properties which can adapt to residents' changing needs over time, and which provide a safe and comfortable environment to call home;

#### *9. Resources*

- 4.28 To support Wirral Council's Environment and Climate Emergency commitments by considering environmental, social and economic aspects of sustainability at all stages of the planning and design process;

#### *10. Lifespan*

- 4.29 To deliver long-lasting, beautiful places to live. To maintain a role in the ongoing management and community stewardship.

### **Pre-application Stakeholder Engagement**

- 4.30 The NPPF and WBC's Statement of Community Involvement (adopted March 2021) outline the requirement for engaging with the local community as part of the planning

application process. Consultation is to be conducted in an effective way to ensure views are representative across a community, which is reflected in Para 132 of the NPPF:

- 4.31 *“Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.”*
- 4.32 Taking account of this advice, Leverhulme has engaged with WBC and a wide range of other stakeholders since 2020 to evolve its ideas for this site (as well as the other seven).

#### **Consultation with Wirral Borough Council**

- 4.33 Throughout the evolution of the proposals, Leverhulme and its agents have sought to engage with WBC to ensure that the final proposal can be supported.
- 4.34 This engagement consisted of Leverhulme’s consultant team arranging meetings with their consultee counterparts to agree the scope of assessment for a number of relevant environmental disciplines, including landscape, flood risk / drainage, archaeology / heritage, and arboriculture.

#### **Highways England / National Highways and Wirral Highways**

- 4.35 Similarly, Curtins consulted extensively with both National Highways (formerly Highways England) and Wirral Highways to agree the scope of transport assessment, particularly regarding the modelling and cumulative impact aspects of their work. This engagement also touched upon potential transport mitigation and enhancement measures, which is set out in further detail in the accompanying transport documents.

## Green Space groups

4.36 Leverhulme met with a number of amenity groups in March 2020, including but not limited to CPRE; Cheshire Wildlife Trust; Wirral Footpath Society; Wirral Environmental Network; and Wirral Green Spaces Alliance, to obtain their input into how land owned by the Estate that is classified as Green Belt might be enhanced, including from the perspectives of public access, stewardship, environmental enhancements, and biodiversity. This early engagement was instrumental in refining the Leverhulme Vision and informing the site-specific proposals presented as part of the Phase 1 planning applications.

## Public Consultation

4.37 Leverhulme has engaged with WBC and a wide range of other stakeholders since 2020 to evolve its ideas for this site (as well as the other seven). Details are set out in the Statement of Community Involvement (“SCI”) but in summary:

- a) In June 2021, Leverhulme produced its vision for Wirral calling for a broader debate around sustainable place-making and how best to deliver successful communities in Wirral, writing to key stakeholders to set out and share its Leverhulme Vision;
- b) Between 23<sup>rd</sup> February and 13<sup>th</sup> March 2022 it held a virtual exhibition informing a wide range of local residents and other stakeholders about its plans for Site G;
- c) As part of this, it wrote to 28 local addresses introducing the proposals and inviting them to visit the exhibition. Associated press activity was also undertaken.
- d) A total of 34 feedback responses were received. The SCI sets out the issues raised and the ways in which the scheme proposal responds.

4.38 Throughout the determination period, Leverhulme will continue to engage with key stakeholders and local residents.

## 5.0 Planning Policy

---

- 5.1 The Town and Country Planning Act 1990 (the “1990 Act”) and the Planning and Compulsory Purchase Act 2004 (the “2004 Act”) establish the legislative basis for town planning in England and Wales. Together they establish a ‘plan led’ system which requires planning authorities to determine planning applications in accordance with the statutory development plan (“the development plan”) unless material considerations indicate otherwise (section 38(6) of the 2004 Act).
- 5.2 This section sets out the development plan for Wirral Borough, the material considerations that will be considered in determining the application and assesses the proposals against this framework. It also considers the status of the Wirral Local Plan 2021-2037- Submission Draft.
- **Development Plan**
- 5.3 The statutory Development Plan for Wirral Council comprises:
- Unitary Development Plan for Wirral (adopted February 2000) (“the UDP”); and
  - Joint Waste Local Plan for Merseyside and Halton (July 2013) (“the Joint Waste Local Plan”)
- 5.4 The UDP was adopted in 2000 and its policies ‘saved’ in 2007. It covered the period April 1986 to March 2001 and therefore did not purport to provide for the development needs of the current plan period. Consequently, it cannot be regarded as up to date in general terms because it was not prepared in light of policies contained within the NPPF. In accordance with the judgement in *Hopkins Homes*, the spatial strategy relying upon settlement boundaries, or more specifically defining areas appropriate for development, fixed in the UDP may be considered “*out-of-date*” as a result of being predicated on out of date assessments of development needs and can be accorded reduced weight, in consequence<sup>3</sup>. This in itself triggers the operation of para 11(d) of the NPPF as the “*relevant development plan policies*” are out-of-date.

---

<sup>3</sup> Hopkins Homes Ltd v SSCLG [2017] UKSC 37 : Para 63

5.5 In addition, WBC recognises that it is unable to demonstrate the required five-year land supply. Accordingly, footnote 8 of the NPPF is engaged and for this reason too para 11(d) is relevant in this case.

5.6 In the context of Para 11(d), the UDP policies “*which are most important for determining the application*” are as follows:

1. URN1: Development and Urban Regeneration;
2. HSG1: New Dwelling Requirement;
3. HSG2: Affordable Housing;
4. GB2: Guidelines for Development in the Green Belt;
5. LAN1: Principles for Landscape;
6. AGR1: The Protection of Agriculture;
7. AG2: The Protection of Best Quality Agriculture Land;
8. NCO1: Principles for Nature Conservation;
9. NC1: Protection of Sites of International Importance for Nature Conservation;
10. NC2: Sites of International Importance for Nature Conservation;
11. NC3: Protection of Sites of National Importance for Nature Conservation;
12. NC4: Sites of National Importance for Nature Conservation; and
13. PO4: Noise Sensitive Development.

5.7 The other relevant policies from the UDP are as follows:

1. HS6: Principles for Affordable Housing;
2. GBT1: Green Belt Boundaries;
3. LAN7: Criteria for Development at the Urban Fringe;
4. GR5: Landscaping and New Development;
5. GR6: Greenspace Within New Family Housing Development;
6. GR7: Trees and New Development;
7. CH01: The Protection of Heritage;
8. AG1: Development and Agriculture;
9. NC5: Protection of Sites of Local Importance for Nature Conservation;
10. NC6: Sites of Biological Importance;
11. NC7: Species Protection;

12. REC1: Principles for Sport and Recreation;
13. RE11: Criteria for Children's Play Facilities;
14. RE13: Criteria for Sports Facilities in the Green Belt;
15. TLR1: Principles for Tourism Development;
16. TL9: The Protection of Rural Tourist Attractions and Resources;
17. TL10: Criteria for Tourism Development in the Green Belt;
18. TL14: Protecting and Extending Public Rights of Way;
19. WAT1: Fluvial and Tidal Flooding;
20. WA2: Development and Land Drainage;
21. WA3: Development and Groundwater Protection;
22. WA4: Safeguarding Water Resources;
23. WA5: Protecting Surface Waters;
24. TRT1: Provision for Public Transport;
25. TRT3: Transport and the Environment;
26. TR9: Requirements for Off-Street Parking;
27. TR13: Requirements for Disabled Access;
28. REN1: Principles for Renewable Energy; and
29. WM9: Sustainable Waste Management Design and Layout for New Development (*from the Waste Local Plan*).

- 5.8 These are set out in more detail at Appendix 1, including an analysis of each policy against the appropriate aspects of the NPPF and this development's compliance with each policy.
- 5.9 Nonetheless, despite its outdated nature, the UDP is the most relevant policy document against which applications in Wirral should be determined.
- 5.10 The Waste Local Plan was adopted in 2013 and covers a period up to 2027. The one relevant policy to this proposal is WM9 – Sustainable Waste Management Design and Layout for New Development. Details are also set out at Appendix 1.

- **Other Material Considerations**

### **National Planning Policy Framework (“NPPF”)**

- 5.11 The NPPF was adopted as strategic guidance in July 2021, superseding the previous version published in 2019. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development and a presumption in favour of sustainable development is at the heart of the Framework. This includes approving development proposals that accord with an up-to-date plan without delay, or where the policies which are out of date, granting permission unless the area is protected by applying the policies of the NPPF or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

### **Wirral Landscape Character Assessment 2019**

- 5.12 Undertaken by LUC this provides a comprehensive and up to date landscape character assessment for all land outside the defined settlements in WBC. It identifies six different Landscape Character Types (“LCTs”) within the borough:
- LCT 1: Coastal/Estuarine Edge;
  - LCT 2: River Floodplains;
  - LCT 3: Sandstone Hills;
  - LCT 4: Lowland Farmland and Estates;
  - LCT 5: Coastal Waters;
  - LCT 6: Estuaries.

- 5.13 The character assessment also subdivides the above LCTs into a number of smaller Landscape Character Areas (“LCAs”). Both the Main Site and the Storeton Lane Site are within LCT 4 Lowland Farmland and Estates and within LCA 4a Landican and Thingwall Lowland Farmland and Estates.

### **Wirral Green Belt Review 2019 (undertaken by Arup)**

- 5.14 This study, undertaken by Arup, provides a detailed assessment against the five purposes of the Green Belt set out in national policy. It considers the consultation

responses received during the Development Options Review 2018 and replaces the Council's previous Initial Green Belt Review 2018.

### **Supplementary Planning Documents (“SPDs”)**

- 5.15 WMBC has four adopted SPDs, including SPD4 Parking Standards. It is currently preparing four new SPDs in tandem with the preparation of the Submission Draft Plan. Draft SPD ‘Residential Development’ will provide detailed guidance to supplement adopted policies for all types of residential development, and it is anticipated that it will address Design Objectives, Suitable Locations, Site Appraisal, Layouts, Designing Buildings, Landscaping, Residential amenity and Planning Contributions.

### **Policy Designations**

- 5.16 The UDP proposals map shows the Site to be within the Green Belt and the Raby Mere Site of Local Biological Importance.
- 5.17 A Tree Preservation Order affects the trees located on the southern boundary.
- 5.18 The site falls within Flood Zone 1 (low risk) as defined by the Environment Agency's Online Flood Mapping.
- 5.19 There are no heritage assets located within the Site nor within its immediate area, however Raby Hall is a Non-Designated Heritage Asset.
- 5.20 Although the Site and its surroundings have been characterised in the Wirral Landscape Character Assessment (“LCA”) as having both national and local designations pertaining to character, it is not designated for landscape *quality* or *value* (as demonstrated by the Landscape and Visual Amenity chapter of the submitted Environmental Statement) at a national or local plan level.
- 5.21 Following the assessment of landscape value in Chapter 7 of the Environmental Statement against box 5.1 of GLVIA, the Site is not considered to form part of a “*valued landscape*” for the purposes of para 174a of the NPPF.

## Neighbourhood Planning

5.22 No Neighbourhood Plans affect the site.

- **Status of the Wirral Local Plan 2021-2037- Submission Draft**

5.23 Plan-making in Wirral has not kept pace with the statutory expectations.

5.24 Despite the legal requirement on the Council to maintain an up-to-date Local Plan, the outdated UDP still remains in force more than two decades after the end of its period in 2001.

5.25 On 28<sup>th</sup> January 2019, the Secretary of State for Housing, Communities and Local Government wrote to the Leader of the Council outlining his concerns:

1. At the time, Wirral was one of only 11 authorities who had yet published a Local Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
2. Wirral had consistently failed to bring forward a Local Plan having failed to meet milestones in at least six Local Development Schemes since 2004;
3. The Council's performance in this regard was "lamentable". In comparison with other authorities written to at the time, Wirral had made the least progress and was scheduled to submit significantly later than the other authorities;
4. The Council's failure to plan for and deliver homes was also clear. At the time the area had a locally assessed need of 875–1235 dwellings per annum ("dpa"), and a five-year housing land supply of 1.7- 2.6 years.

5.26 Accordingly, the Council was required to publish an Action Plan setting out how it would ensure that a Local Plan is in place. Some three years later, in March 2022, draft Local Plan policies were endorsed by the Council (together with over 200 previously unseen supporting documents).

5.27 That document, the Local Plan 2021-2037- Submission Draft, was subject to a seven-week consultation expiring on 24<sup>th</sup> June 2022. At the time of writing, the actual date

of the examination, following reflection on the matters raised during the consultation, had not yet been confirmed.

5.28 The draft Plan is predicated on a proposal that all of the borough's housing needs over the next 15 years (a minimum of 13,360 net additional dwellings) can be met within existing built-up areas, largely through the redevelopment of brownfield sites in and around Birkenhead (identified by the Council as Housing Value Zones 1 & 2).

5.29 However, Leverhulme is firmly of the view that this objective cannot be achieved because:

1. There is an urgent need to deliver housing now, since the five-year requirement is 5,050 (see Table 3 below) and even on the Council's own figures (which Leverhulme does not necessarily accept) there is a deficit of 1,862 dwellings. Leverhulme is therefore making this application, as part of the Sites A to H provision, in order to give the Council early delivery towards this immediate requirement, well in advance of the draft Local Plan's adoption anticipated adoption in 2023 / 24;
2. In any event, exceptional circumstances exist to deviate away from the use of the local housing need requirement; the draft Local Plan's minimum housing target to 2037 of 890 dpa should in fact be far higher. Evidence will be submitted on behalf of Leverhulme as part of the Local Plan consultation regarding the inadequacy of the draft Local Plan housing requirement, including the underestimate of affordable housing need;
3. The overall housing need in Wirral is primarily for larger house sizes, however, the Council's supply is focused on the delivery of high-density urban development comprising predominantly 1 and 2 bed dwellings (and so not meeting the needs identified in its own evidence);
4. A significant proportion of supply in the Council's trajectory does not meet the NPPF definitions of "*deliverable*";
5. The Council's own recently published CIL and Viability Assessment<sup>4</sup> concludes that:

---

<sup>4</sup> [Final report of Aspinall Verdi, February 2022](#)

- a. 10% on-site provision of affordable housing is currently unviable on all Zone 1 sites without grant funding, and on all Zone 2 brownfield sites;
  - b. Flatted typologies are unviable on a policy compliant basis across all value zones;
  - c. The viability and delivery of the scale of regeneration anticipated by the Local Plan is “*undoubtedly challenging and ambitious in light of local market conditions and viability considerations*”.
- 5.30 Leverhulme will set out its Local Plan evidence in due course in the context of promoting Phase Two of the Leverhulme Vision, but it is of the opinion that there is an urgent requirement now to identify sustainable and suitable sites in the Green Belt to help meet identified needs within the next five years. This application (together with the associated concurrent applications) sets out how this can be achieved.
- 5.31 In light of the above concerns, the Submission Draft’s policies have not been considered further in this Planning Statement, as they currently carry no weight.
- 5.32 That said, some aspects of the evidence base are considered to have relevance, for example with regard to mix and density. They are discussed in more depth in Section 6.0.

### Five-year Housing Land Supply (“5YHLS”)

- 5.33 At the time of writing, WBC’s most recent statement on 5YHLS was in its Annual Monitoring Report 2018 / 19, January 2021<sup>5</sup> (“the 2019 AMR”). Table A1 from Appendix 3 is reproduced below, with a base date for the calculations of April 2019.

<b>A</b>	Five Year Projected Demolitions 2019-2024	250
<b>B</b>	Local housing need based on MHCLG Standard Method 2019-2024	4,000
<b>C</b>	<b>Five Year Housing Target 2019- 2024 (1.20 x B) + A</b>	<b>5,050</b>
<b>D</b>	Current Five Year Supply	3,188
<b>E</b>	Annual Requirement over Five Years (gross) (C/5)	1,010
<b>F</b>	<b>Years' Supply (D/E)</b>	<b>3.1</b>

Table 2: Extract from Appendix 3 WBC Monitoring report 2019, page 55

<sup>5</sup> [WBC/2019/Annual Monitoring Report 2018-2019.pdf](#)



- 5.34 This confirms 3.1 years' supply, which is clearly a significant shortfall against the five-year requirement. There can therefore be no dispute that footnote 8 of the NPPF is triggered.
- 5.35 Plainly, an up-to-date 5YHLS assessment would need to have a base date more recent than April 2019; it will be based on the up to date standard method calculation, and would need to take into account current supply. However, the outcome is anticipated to be less than even 3.1 years. This issue will be monitored by Leverhulme throughout the application's determination period and evidence produced on behalf of Leverhulme and other key stakeholders will be submitted as part of the Local Plan consultation providing a critical analysis of the projected supply arising from the draft Local Plan allocations.

## 6.0 Scheme Justification / Planning Policy Assessment

---

- 6.1 This section sets out the justification for the proposal in the context of relevant local and national planning policies and guidance. Reference is also made to the other submitted reports and drawings accompanying this application.
- 6.2 The key topics arising from pre-application discussions and the public consultation are as follows:
1. Principle of Residential Use Outside Settlement Boundaries
    - a) Out-of-date spatial strategy;
    - b) The urgent need to deliver residential dwellings and lack of 5YHLS;
    - c) Provision of affordable and tenure mix to meet identified need;
    - d) Sustainable location for residential development.
  2. Principle of Development in the Green Belt:
    - a) Performance of the site;
    - b) Impact on Openness;
    - c) Very Special Circumstances (Strategic & Site-Specific).
  3. Achieving Good Design;
  4. Landscaping and Open Space;
  5. Landscape Character and Visual Impact Assessment;
  6. Transport and Highways;
  7. Ecology and Biodiversity;
  8. Trees;
  9. Heritage;
  10. Flood Risk and Drainage;
  11. Living Conditions;
  12. Loss of Agricultural Land;
  13. Waste
  14. Benefits of the Scheme;
  15. Draft s.106 Heads of Terms.
- 6.3 We now address each topic, firstly considering the prevailing policy context and then making a policy assessment.

## TOPIC 1: The Principle of Residential Use Outside Settlement Boundaries

### a) Out of Date Spatial Strategy

- 6.4 Wirral's UDP sets out planning policies to guide development up until 2001 (see paras 5.3 and 5.10 above). Driven by housing need figures derived in the 1980s, it is predicated on limiting new development to existing urban land and denying the opportunity for greenfield sites to deliver sustainable development as understood by the up-to-date national guidance in the NPPF.
- 6.5 Consequently, the settlement boundaries or areas deemed appropriate for development in Wirral (which are effectively established by Policy URN1) have not changed since the Plan's adoption well over two decades ago. They are rooted in a different era, and reflect a time when the urgency of housing delivery was not the national and local priority that it is now.
- 6.6 The Leverhulme Vision, reflected in this application, seeks to develop beyond the adopted settlement boundaries in a planned and sensitive manner, focused directly on the area's 2022 housing needs. Leverhulme's spatial strategy is based on a legacy of positive, high-quality place-making, using principles which have had enduring success over many decades.
- 6.7 The Vision enables the creation of attractive new living environments integrating with existing communities and by reducing pressure on overall housing numbers. By providing sustainable locations for significant new housing, it also provides in parallel an opportunity for the human scale, lower density regeneration of brownfield sites elsewhere.
- 6.8 Since the UDP's settlement boundaries are significantly out-of-date, Para 11(d) of the NPPF is engaged, and the spatial strategy is accorded reduced weight in the decision-making process. Development outside these out-of-date settlement boundaries, proposed in the Leverhulme Vision (and represented on a site specific basis by this application), is a carefully considered and necessary step in delivering sustainable planning in Wirral.

6.9 It is in the interests of the area’s proper planning in the public interest and in accordance with national policy, and should therefore be accorded significant weight in the planning balance.

**b) The urgent need to deliver residential dwellings and lack of 5YHLS**

6.10 The draft Local Plan sets a minimum housing target to 2037 of 890 dwellings per annum. We believe this target should in fact be far higher. Evidence will be submitted on behalf of Leverhulme as part of the Local Plan consultation regarding the inadequacy of the Local Plan housing requirement, including the underestimate of affordable housing need.

6.11 Past delivery in the Borough has been low. In particular, this has been a function of the lack of an up to date and adopted development plan rather than a lack of developer appetite. With a Plan that is now 21 years’ old and no new housing allocations to come forward, it is hardly surprising that a Green Belt-constrained authority has delivered relatively low housing numbers. This has in turn stifled supply at a time when the Government is actively seeking to boost it.

6.12 Taking account of the Council’s published position in the 2019 AMR, the acknowledged lack of 5YHLS and Leverhulme’s contribution represented by the eight planning applications, Table 3 summarises the situation (although it does not take account of any future widening of the deficit, considered likely as noted at 5.29 above):

<b>WBC Five year target*</b>	<b>Current WBC Five Year supply*</b>	<b>Deficit</b>	<b>Leverhulme Phase One provision (Sites A to H)</b>
5,050	3,188	1,862	1,038

Table 3: Current WBC 5YHLS deficit and proposed Leverhulme contribution. \*Source: AMR 2019

6.13 NPPF Para 11 d) affirms the importance of having an up-to-date plan. As already discussed, NPPF footnote 8 confirms that “out-of-date” includes situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (and was endorsed in *Hopkins Homes*).

6.14 It is clear that there is a poor record of housing delivery in Wirral and a lack of 5YHLS, and that there is an urgent need to deliver housing now to address the deficit acknowledged by the Council of 1,862 dwellings. Leverhulme is therefore making this application, as part of the Sites A to H provision, in order to give the Council early delivery towards this immediate requirement, which needs to be provided for well in advance of the draft Local Plan's eventual adoption. Leverhulme is committed to delivering these sites as soon as possible without any delays following receipt of planning permission and will not "land bank" any of the sites.

**c) Provision of affordable and tenure mix to meet identified need**

6.15 'Affordable Housing' is widely defined in the Annex 2: Glossary to the NPPF and encompasses affordable for rent, starter homes, discounted market sales housing as well as other affordable routes to home ownership. 'First Homes' can also be considered to meet the definition for planning purposes.

6.16 Wirral has worsening affordability issues and disproportionately high affordable housing need. The October 2021 SHMA update<sup>6</sup> ("the SHMA update") identifies a gross affordable need of 2,202 dwellings, and a net shortfall of 374 units each year. Much of the demand for affordable rented accommodation is for two and three bedroomed houses. We also believe that the emerging Local Plan underestimates the true level of affordable housing need in the Borough and evidence will be submitted in due course on behalf of Leverhulme critiquing the Council's current position.

6.17 By contrast, the SHMA update notes that the annual average number of affordable completions for the five year period to 2019 /20 was 173. However, in 2012/2013 and 2016/2017 the number of completions of affordable units actually fell below 100 each year.

6.18 Furthermore, the number of sites offering no on-site affordable housing or reduced provision for affordable units indicate that there are significant viability issues associated with the incorporation of affordable units on brownfield sites in Wirral. As

---

<sup>6</sup> [Strategic Housing Market Assessment Update October 2021.pdf](#) Local Plan Evidence Base Paper Ref. H8

already highlighted, this is also supported by the conclusions, on behalf of the Council, of the Aspinall Verdi February 2022 viability study.

- 6.19 Leverhulme sites A to H provide an opportunity to make a significant contribution towards this deficit, with a total of 312 affordable dwellings proposed (including up to 24 from this site). Moreover, the proposed provision is targeted directly at the identified need, with two and three bedroomed houses forming a large part of mix proposed on all A to H sites.
- 6.20 Leverhulme has also chosen to increase affordable provision on all sites to 30%, and so considerably in excess of the policy set out in draft Local Plan Policy WS3.3 which seeks 20% tenure blind affordable provision. Leverhulme is fully committed to this additional provision; it is consistent with the Leverhulme Vision and Charter, and underpins the objective of creating balanced new communities which have vitality, wellbeing and a sense of belonging at their heart and which are recognised as wonderful places to live.
- 6.21 The full details of the affordable housing and self-build provision will be controlled through Section 106 legal agreement.
- 6.22 In summary, Leverhulme has made a concerted effort, based on a clear appreciation of the issues, to address Wirral's disproportionately high affordable housing need. It proposes a level of provision that is carefully targeted to local requirements, and which is significantly in excess of WBC's draft policy position. It also addresses local requirements for custom and self-build.
- 6.23 These initiatives also deserve significant weight in the planning balance.

#### **d) A Sustainable Location for Residential Development**

- 6.24 The NPPF states (Paras 7 and 8) that the purpose of the planning system is to contribute to the achievement of sustainable development. Para 8a) emphasises the need to ensure "*that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity*".

- 6.25 Para 38 emphasises that decision-makers should seek to approve applications for sustainable development where possible, and accessibility is a key determinant in sustainability. Para 92 emphasises the importance of creating healthy and safe communities which are safe and accessible [emphasis added].
- 6.26 Details of the site's highly sustainable location are set out at Section 4 of TA and are summarised in Figure 5 below:



Figure 5: Local Context Plan (Alan Baxter)

- 6.27 The site is positioned at the edge of the urban area within accessible walking/cycling distance to a range of existing retail and community facilities. Bromborough local centre on Allport Road can be reached within 15 minutes' walk or 5 minutes' cycle ride.
- 6.28 Bromborough local centre provides a mix of local retail including a Co-op supermarket, community facilities, services and food and drink outlets. The nearest petrol station is Bromborough Texaco Petrol Station, which is approximately 2.3km away. There are five primary schools in the immediate vicinity, Brookhurst, 1km away, Raeburn, 1.6km away, Mendell, 2.1km away, Christ the King Catholic, 2.2km away and Heygarth, 2.6km away. The nearest secondary schools/sixth forms are South Wirral High School

which is 2.4km away and Neston High School 4.8km away. The nearest special needs school is Stanley School, 9.2km away. The nearest library is Bromborough Library, which is 2.8km away. The nearest public hospital is Clatterbridge Hospital which is 3.8km away. The nearest doctor's surgery is Eastham Group Practice, which is 2.4km away.

- 6.29 Approximately 350m from the site lies bus routes 17 which serve Blakeley Road. The nearest railway station is Bromborough, which is 1.2km away.
- 6.30 In summary, the site is suitable for residential development because it is a highly sustainable location where people want to live. Full advantage of this location will be maximised through the local connectivity enhancements incorporated into the development ensuring that residents benefit from enhanced pedestrian and cycle facilities (full details are set out in the TA and DAS) supported by s.106 contributions.

### **Principle of Residential Use outside Settlement Boundaries - Summary**

- 6.31 There is significant urgency to begin delivering housing.
- 6.32 Para 11d is engaged because the UDP and its associated settlement boundaries/areas deemed appropriate for development are significantly out of date and there is not a 5YHLS. There is also a poor record of housing delivery and a disproportionately high affordable housing need.
- 6.33 All these issues are addressed by this proposal and the development will be provided in an appropriate, highly sustainable location where people want to live.

### **TOPIC 2: The Principle of Development in the Green Belt**

- 6.34 NPPF Para 137 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

6.35 Planning Practice Guidance<sup>7</sup> confirms that assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case.

6.36 Para 138 NPPF identifies the five purposes of the Green Belt as follows:

Purpose 1: To check the unrestricted sprawl of large built-up areas;

Purpose 2: To prevent neighbouring towns merging into one another;

Purpose 3: To assist in safeguarding the countryside from encroachment;

Purpose 4: To preserve the setting and special character of historic towns; and

Purpose 5: To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

6.37 Para 149 of the NPPF sets out that the construction of new buildings is inappropriate in the Green Belt unless the proposals (inter alia):

*“b. provide appropriate facilities for **outdoor sport, outdoor recreation,** [emphasis added] **cemeteries and burial grounds and allotments as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”***

6.38 Any other form of development is deemed to be inappropriate (Para 147) and should not be approved except in very special circumstances (“VSC”). Para 148 sets out that VSC will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

6.39 Under saved UDP Policy GB2 (Guidelines for Development in the Green Belt), the Green Belt is also protected except in very special circumstances.

---

<sup>7</sup> <https://www.gov.uk/guidance/green-belt> (Para 001 Reference ID: 64-001-20190722)

### a) Performance of the Site in Green Belt terms

- 6.40 Wirral's Green Belt has been the subject of repeated and rigorous scrutiny since 2016 via Leverhulme's own Green Belt Review (Barnes Walker, 2016/17), WBC's Initial Green Belt Review (2018) and WBC's Green Belt Review (Arup 2019 (see Barnes Walker's Green Belt Site Selection Report April 2022 for further details)).
- 6.41 The site forms part of a larger parcel that was assessed in each of these reviews.
- 6.42 The 2016/17 Barnes Walker Review concluded that, based on its assessed contribution to the five purposes, it should be considered within any future Green Belt Review by WBC, with a view to its possible removal.
- 6.43 The 2016/17 Barnes Walker Review concluded that, based on its assessed contribution to the five purposes, it should be considered within any future Green Belt Review by WBC, with a view to its possible removal.
- 6.44 WBC's own 2018 Review investigated whether there would be any sites that could potentially be suitable for release from the Green Belt in terms of the five purposes and any other high-level constraints. Seven of Leverhulme's sites (B to G) were recommended for further investigation.
- 6.45 The 2019 Arup Review replaced WBC's 2018 Review, and used a qualitative scoring system to assess each parcel against each purpose, as summarised below:

No Contribution – the parcel makes no contribution to the Green Belt Purpose.
Weak Contribution – on the whole the parcel makes a limited contribution to an element of the Green Belt purpose.
Moderate Contribution – on the whole the parcel contributes to a few of the elements of the Green Belt Purpose however does not fulfil all elements.
Strong Contribution – on the whole the parcel contributes to the purpose in a strong and undeniable way, whereby removal of the parcel from the Green Belt would detrimentally undermine this purpose

Figure 6: Qualitative scoring system used in Arup Review, 2019

- 6.46 Site G forms part of Parcel 4.11 (Settlement Area 4) and the review concludes as follows:

Leverhulme Site Ref.	Arup ref.	Purpose 1	Purpose 2	Purpose 3	Purpose 4	Purpose 5	Overall
Site G	4.11	Weak	Weak	Moderate	No	Moderate	Weak

Table 4: summary of Arup 2019 Review of contribution to five GB purposes

- 6.47 Overall therefore, according to the Council’s own judgment, this is a weakly performing site and specifically it makes no contribution in terms of Purpose 4. Therefore in this case the harm only needs to be assessed in terms of the ‘Moderate’ contribution to Purpose 3 (to assist in safeguarding the countryside from encroachment) and Purpose 5 (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land), and to a lesser extent the ‘Weak’ contribution to Purpose 1 (to check the unrestricted sprawl of large built-up areas) and Purpose 2 (to prevent neighbouring towns merging into one another).
- 6.48 The key question therefore is the extent to which the proposal reduces the site’s performance in terms of Purposes 1, 2, 3 and 5.
- 6.49 For Purpose 1 the proposal does not cause sprawl of the neighbouring urban areas, due to the presence of the ‘predominantly durable boundary with the urban conurbation’ along the eastern boundary of the site at Blakeley Road.
- 6.50 In the case of purpose 2, ‘to prevent neighbouring towns merging into one another’, it was assessed in the Wirral Green Belt Review 2019 that development of this parcel (reference 4.11) would adversely affect the purpose by reducing the actual gap but not the perceived gap between the neighbouring towns due to the presence of the M53, whilst the gap between the towns is already narrower to the north of the site. Importantly it would not result in them merging.
- 6.51 In the case of Purpose 3, it is also acknowledged that the proposal does physically encroach into the countryside with ‘Minor Adverse’ effects (see EIA Landscape and Visual Amenity chapter - Topic 5). However, this is inevitable for any greenfield site within the Green Belt and the proposed development does not significantly alter the existing spatial pattern, and the encroachment does not extend across the full extent of the site. Some 27% of its area will become new public open space (nearly three

times the minimum required) and as also noted in the EIA Landscape chapter there will be 'Minor Beneficial' effects on landscape features upon maturity of the planting.

- 6.52 Clearly, again, any site in the Green Belt performs Purpose 5. However, that purpose will continue to be performed since there is housing need beyond the Leverhulme Sites A to H, the provision of which will be reflected in the urban areas by alleviating the pressure of housing numbers to be delivered through the Local Plan. It also provides the opportunity for the more human scale, lower density regeneration of brownfield sites in these urban areas.
- 6.53 In the light of the above, it can be concluded that Green Belt Purpose 4 is not performed by the site; Green Belt Purposes 1 and 2 are not performed well by the site and therefore are not substantially harmed; that Green Belt Purpose 3 is not significantly harmed by the proposed development and Purpose 5 is maintained.

#### **b) Impact on Openness**

- 6.54 The concept of openness has been considered in various court cases which have identified a number of matters which may need to be taken into account in making an assessment of the impact of a proposal on openness. For example, openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume<sup>8</sup>.
- 6.55 The proposed relationship between development and green infrastructure is indicated on Figure 7 below:

---

<sup>8</sup> Ibid.



Figure 7: Proposed Land Use Mix (Alan Baxter)

- 6.56 The proposal involves the construction of residential properties generally two storeys in height. It is accepted that this aspect of the proposal, along with any other built structures, such as play equipment, will have an impact on openness, and that it should be regarded as inappropriate in the Green Belt.
- 6.57 However, it should also be acknowledged that around 1.0 Ha (27%) of the site is proposed for green and blue infrastructure which in principle will not adversely affect openness.
- 6.58 In land budget terms, therefore, not all of the site is being developed; large areas are reserved for green and blue infrastructure, and it is only the 2.69 Ha to be developed which will exhibit harm to openness.

### c) Very Special Circumstances ('VSCs')

- 6.59 For a proposal to meet the test set out in NPPF Para 148, a balancing exercise must be undertaken. Strutt & Parker's strategic document 'Leverhulme – Analysis of Very Special Circumstances' presents those matters weighing in favour and which are capable of constituting VSC, subject to the satisfactory discharge of the test at NPPF Para 148.
- 6.60 The starting point is the Leverhulme Vision which presents wide ranging land use proposals, extending over several decades and beyond statutory Local Plan review periods. The eight concurrent applications are important first steps in delivering the Leverhulme Vision. They will assist in the delivery of an appropriate level of deliverable new housing, in the context of a much wider estate-wide package of social, environmental and economic benefits.

#### Estate-wide VSCs

- 6.61 The strategic VSCs document identifies five estate wide VSCs which are to be afforded substantial weight in all the submitted applications:
1. Following a planned (and plan-led) approach;
  2. Effective housing delivery;
  3. Green Belt management;
  4. Environmental enhancements package; and
  5. Leverhulme's Long-Term Stewardship.
- 6.62 They are detailed within the VSCs Strategic Document, and we therefore do not expand on them here. They should be regarded as the high-level manifestations of VSCs underpinning all the applications. In the case of housing delivery, offering VSC is a cumulative exercise, and the inability to demonstrate a 5YHLS should still be considered as part of a VSC case to grant planning permission for a development.

### Site specific VSCs

- 6.63 We now turn to the more local, site specific VSCs, identified in **bold**.
- 6.64 The proposal will make a significant contribution to **meeting housing need**. Moreover, **affordable housing provision significantly in excess of current UDP policy** (30%, rather than compliance with the emerging target of 20%) is proposed.
- 6.65 Open space is to be provided well in excess of the minimum requirements of the adopted UDP. It includes **publicly accessible open space** provision totalling 1.06ha (including a play area of 400 sq.). The Parameter Plan defines the extent of the proposed “green and blue infrastructure” within the application site. **A green corridor and retention of existing high-quality trees and hedgerows** along Raby Hall Road will improve the screening of the site.
- 6.66 The application includes **the provision of a new permissive footpath route** linking through the site from Blakeley Road to connect through to the grounds of Autism Together. The permissive footway is proposed to be set within a broad band of retained green infrastructure within the site, such as to provide an attractive and safe footpath connection for use for occupants of the scheme and residents and staff at Autism Together.
- 6.67 The proposal also produces **significant Biodiversity Net Gain** as set out in the submitted Biodiversity Accounting Assessment Report for this site. On balance of the impacts and proposed habitat creation/enhancement, the report concludes that the development will deliver a net gain of 1.45 habitat Biodiversity Units (equivalent to a 10.22% increase) and a net gain of 0.99 hedgerow Biodiversity Units (equivalent to a 27.72% increase). In addition to on-Site biodiversity gains and on balance of impacts and habitat creation/enhancement, the report also concludes that the off-site measures linked to the Leverhulme Vision will result in an additional net gain of 11.45 habitat Biodiversity Units (equivalent to a 91.96% increase) and 1.29 hedgerow Biodiversity Units (equivalent to a 100% increase) is delivered through a suite of off-site biodiversity enhancements as part of the wider Leverhulme Vision. Through the biodiversity uplift associated with the on-site and off-site measures, it can be concluded that a **considerable biodiversity net gain above the forthcoming 10%**

**threshold** has been achieved in the local area. This can be attributed weight in the planning balance as one of the very special circumstances. This in turn will provide additional habitat resources to support the local wildlife whilst increasing the resilience of existing habitats of value.

6.68 All the embedded and off-site benefits identified above will be guaranteed through a S106 agreement and planning conditions, as appropriate.

6.69 All of the embedded and off-site benefits identified above is demonstrated on the plan presented in the strategic document. The section of that plan which details the arrangements for Site G is reproduced below:

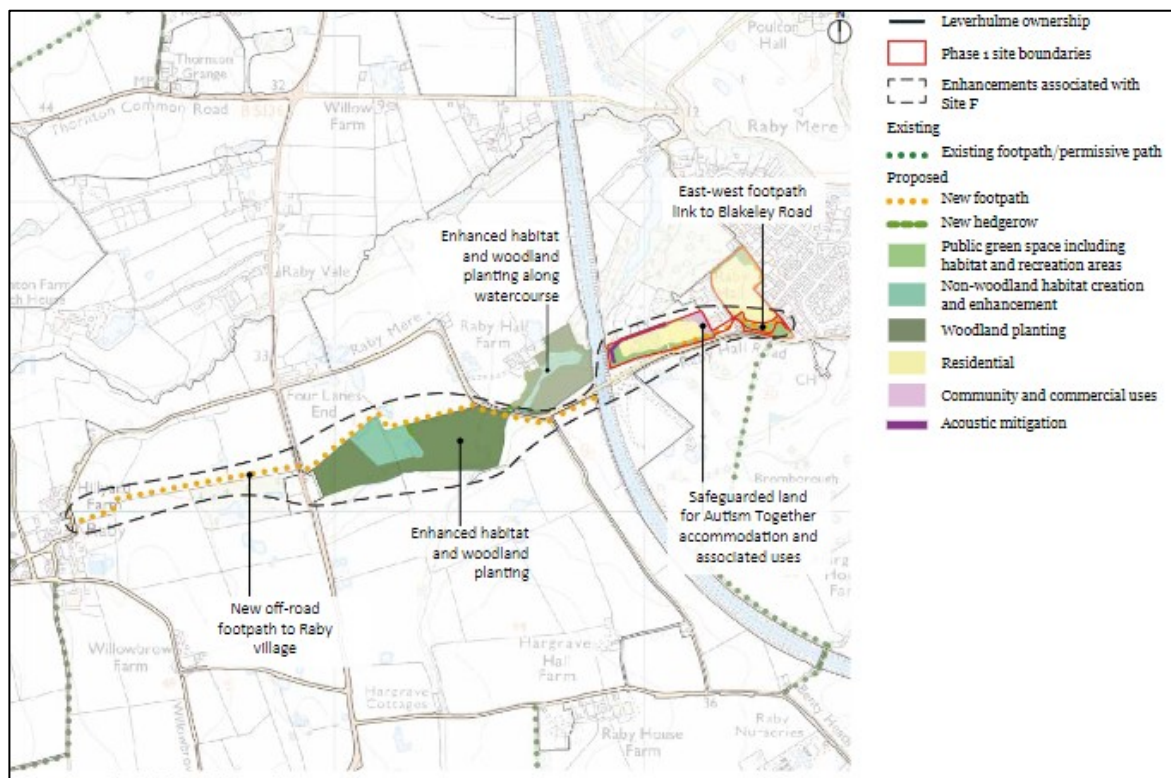


Figure 5: Local enhancements to be provided as part of site wide VSCs

### Green Belt: Summary

6.70 The above package of VSCs are both strategic and site specific and encompass a range of sustainability benefits across all three overarching objectives, as outlined by

Para 11 NPPF. Therefore, in accordance with Para 148, a balancing exercise is required. VSCs “*will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations*”. This exercise is set out in Section 7 below.

### **TOPIC 3: Achieving Good Design**

- 6.71 Section 12 of the NPPF concerns achievement of well-designed places (and its policies incorporate many of the recommendations of the Building Better, Building Beautiful Commission and the National Model Design Code).
- 6.72 Para 126 emphasises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It also highlights the importance of effective engagement between applicants, communities, local planning authorities and other interests throughout the design process.
- 6.73 Para 130 states that planning policies and decisions should ensure that developments;
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.74 As demonstrated in The Leverhulme Vision, April 2020, the applicant takes its sustainability responsibilities at an estate-wide level extremely seriously. This is reinforced by the Leverhulme Design Charter which accompanies this application and the other sites being brought forward. Taken together, they translate to the proposal in the following ways:

6.75 The design seeks to embed the new neighbourhood comfortably within its surroundings while establishing a beautiful and bespoke character reflecting the Leverhulme vernacular and the best of Wirral.

6.76 At the neighbourhood level:

- a) The development is sustainably located, being within 15 minutes' walk of Bromborough local centre facilities, local shops and railway station.
- b) The permeable neighbourhood layout, moderate densities, footpath links have been designed to encourage walking and cycling to local facilities instead of vehicle use.
- c) The site has access to a bus service along Blakeley Road which operates a hail and ride service between Moreton and Eastham Rake.
- d) Deciduous street trees will be planted at the site margins, on streets and in gardens and local green spaces to provide shelter from strong winds, capture carbon and to moderate extremes of temperature through evaporative cooling, while allowing sunlight in winter.
- e) Additional trees and hedgerows will be planted off site to capture carbon, moderate temperatures and protect soil.
- f) The retention of trees, pond and hedgerows, creation of green corridors, together with tree planting and planted private gardens.
- g) Surface water run-off will be attenuated on site using sustainable drainage features.

- h) The layout maximises the zero-carbon potential from a passive design perspective balancing this with the constraints of the site and the importance of creating an attractive and connected layout. This includes: -
- i. Using terrace and grouped properties within the scheme. These are inherently more energy efficient than detached homes and create attractively framed streets.
  - ii. Orientating streets broadly east-west where possible, to maximise the number of homes with a north-south orientation and roofs suitable for PV panels.

6.77 At the plot level:

- a) Detailed design will seek to provide homes which are 'zero carbon ready' with low carbon heating and high levels of energy efficiency, including those delivered in advance of the 2025 deadline proposed by the Government's emerging Future Homes Standards. This will enable homes to become fully zero carbon as the national grid is decarbonized without the need for future retrofitting.
  - i. A fabric first approach will be adopted with high levels of insulation and increased air tightness, high efficacy lighting and passive or heat recovery ventilation systems. The details of the design will be determined at reserved matters stage.
  - ii. New homes will be planned to have dual aspect to maximise daylighting and natural ventilation potential and will have high ceilings to manage the heat within the buildings and good sized glazed areas to reduce the need for artificial lighting.
  - iii. Given the location and density of the proposed development, it is anticipated that each dwelling will have an individual heating system rather than obtain energy from a centralised energy system. The system used will depend on the building typology, but it is anticipated that this will include the use of air source heat pumps and photovoltaic panels.
- b) Locally sourced materials recycled, and reused materials should be used wherever possible.

- c) All timber used should be from PEFC or FSC certified sources.
  - d) Every home will have access to at least one electric vehicle charging point.
  - e) All homes will have secure, accessible cycle parking.
- 6.78 In line with the Leverhulme Vision, the design seeks to embed the new neighbourhood comfortably within its surroundings while establishing a beautiful and bespoke character reflecting the Leverhulme vernacular and the best of Wirral.
- 6.79 Each development block is designed as a loose perimeter block. Homes are designed to front outwards to address the internal street network, and towards Blakeley Road and green corridors at the edges of the site. Rear gardens are contained within the centre of the block. The detailed design of blocks will follow local standards in relation to overlooking and private amenity space. Rear gardens will be designed to allow 21m between habitable rooms and 14m from habitable room window to blank gable. Bespoke corner buildings will be used to terminate views and provide frontage to streets on both sides, to avoid blank facades.
- 6.80 The illustrative layout accommodates a range of different building typologies including short runs of terrace properties, a larger villa containing apartments, semi-detached and a smaller number of detached properties. Buildings will be carefully arranged to reinforce the character of individual streets and create an interesting journey through the site.
- 6.81 At the entrance to the site an apartment building of 2 storeys with dormers, will be designed to resemble a larger villa. Short runs of terrace properties provide a near continuous frontage towards Blakeley Road, framing the corner of the Road containing a small local memorial and providing frontage to the green corridor to the south of the site. The terraces will be designed referencing the character of the terraces that are characteristic of Port Sunlight with gable and dormer details and heights of 2 storeys with some single storey properties with steeply pitched roofs and dormer windows. On the internal streets, semi-detached and occasional detached properties will be of 2 storeys.
- 6.82 The development will be outward facing, set behind hedgerows/green corridors towards Blakeley Road and Raby Hall Road. The gateway of the site is marked by the

larger villa apartment building and woodland copse, with a view to the children’s play area and footpath.

- 6.83 A green space with wetland is to be created at the northern corner of the site to create an attractive setting for the existing Raby Hall Cottage. A hedge will be planted along the northern boundary to enhance the buffer to the woodland SBI to the north.
- 6.84 The western boundary adjoins a hedgerow and tree belt adjacent to AT. Properties here will back onto the tree belt and have larger rear gardens.
- 6.85 In terms of mix, the evidence prepared by Leverhulme indicates that the overall need is primarily for larger house sizes, in particular 3-bedroom houses (whereas 1-bedroom properties comprise a much more modest proportion of overall need).
- 6.86 Therefore, the illustrative masterplan supports the delivery of a mix of detached, semi-detached and smaller number of short terrace properties ranging from 2 to 4 bedrooms.

**Assessment against Leverhulme Design Charter Checklist**

- 6.87 The Design Charter reflects on Leverhulme’s proud legacy of great placemaking and sets out how this will be continued in the future. It identifies 10 commitments to best practice based on the timeless principles Leverhulme has always adhered to and bringing them up to date in line with modern needs and exemplary design standards.
- 6.88 It provides the framework for the preparation of site based design codes and includes a checklist (Appendix A of the document) to assess the design quality of schemes being brought forward through outline planning applications. It is also intended as an enduring statement of intent for Leverhulme in relation to the ongoing stewardship of Wirral places and communities.
- 6.89 We can assess the scheme against the checklist as follows:

Design Charter Commitment		Assessment - Site G
1	<b>Context</b> To create beautiful places which enhance their surroundings by	Contextual and site analysis undertaken

Design Charter Commitment			Assessment - Site G
		responding directly to the special character, culture and heritage of Wirral, and the setting, constraints and assets of each site.	Analysis informed design, and character study informed design. Wider strategic role considered. Consultation has also informed design.
<b>2</b>	<b>Movement</b>	To develop places where residents' health and wellbeing is supported by creating connected, walkable neighbourhoods. To create integrated places by linking new neighbourhoods with the surrounding street network. To support Wirral Council's aim for fossil fuel free local travel by 2030.	The scheme proposes a layout that creates a network of footpaths that provides easy access on foot around the site and connect with the surrounding area The indicative internal layout has been designed to provide direct and convenient connections for pedestrians and cyclists to support the creation of a sustainable development site. The site access provides 2m wide footways, and an informal pedestrian crossing complete with dropped kerbs and tactile paving that connects onto the existing footway provision along the eastern side of Blakeley Road. Properties will front onto public spaces, walking routes and green corridors to encourage natural surveillance Consideration of cycle parking and electric vehicle infrastructure. Character sensitive proposed parking.
<b>3</b>	<b>Nature</b>	To make green spaces, trees, hedgerows and gardens core characteristics of every Leverhulme neighbourhood for the benefit of the environment, climate and community wellbeing. To bring significant environmental gains to Wirral through enhancement of habitats across the rural Leverhulme estate.	Biodiversity Net Gain of 1.45 habitat Biodiversity Units (equivalent to a 10.22% increase) and a net gain of 0.99 hedgerow Biodiversity Units (equivalent to a 27.72% increase). Features of greatest ecological value to be retained and protected where possible. The proposed layout will create a network of footpaths and cycleways incorporated in and connecting to green spaces within the site and its surroundings. The proposed provision of open space within the site is more than double than the minimum required. Provision of multi-functional green and blue infrastructure network. Trees and hedgerows will be retained at the site boundaries, with short sections removed to enable access for pedestrians and for the vehicle junction. Compensatory tree and hedgerow planting will be provided on site to mitigate for the loss of trees and hedgerows. Trees will be planted on streets, houses will have planted front and rear gardens, including fruit trees. The development will more than double the existing tree canopy cover of the site. A hedge will be planted along the northern boundary to enhance the buffer to the woodland SBI to the north.
<b>4</b>	<b>Built Form</b>	To create new neighbourhoods with a coherent and harmonious layout, moderate densities and	Buildings generally two storeys in height.

Design Charter Commitment		Assessment - Site G
	human scale which fit comfortably with their surroundings and their location at the urban/ rural edge.	Short runs of terrace properties provide a near continuous frontage towards Blakeley Road and to the green corridor to the south of the site. The illustrative masterplan shows the proposed traditional arrangement of perimeter blocks with homes fronting onto tree lined streets. The layout of the masterplan has legible, direct routes to public open spaces, play facilities and towards the local facilities of Bromborough to encourage intuitive wayfinding. Street trees will be planted on streets within the footway or in front gardens.
5	<b>Identity</b> To establish neighbourhoods which are distinctively Wirral, with a beautiful and bespoke character reflecting the Leverhulme vernacular and the surrounding area.	The design seeks to embed the new neighbourhood comfortably within its surroundings while establishing a beautiful and bespoke character reflecting the Leverhulme vernacular and the best of Wirral. Bespoke architectural design is to be agreed at reserved matters stage and will reflect local building typologies of the surrounding early twentieth century and of Port Sunlight combined with 21st century requirements.
6	<b>Public Spaces</b> To create public spaces and streets which are welcoming and safe, and which support community interaction and cohesion.	The scheme incorporates new public spaces including a green space to the south with a play area and an area of green open space at the north incorporating sustainable drainage attenuation feature that will be designed as wetland habitat. The scheme incorporates new public spaces including a green space to the south with a play area and an area of green open space at the north incorporating sustainable drainage attenuation feature that will be designed as wetland habitat. The scheme proposes public spaces, streets and play areas will be designed to be DDA compliant. Enclosure to the streets will be provided by building frontages, boundary treatments and trees.
7	<b>Uses</b> To create a broad mix of homes and flexible spaces for non-residential uses across the Estate. This will bring vitality, support health and wellbeing, rural enterprise, community organizations and community cohesion.	The masterplan proposes a green space to the south with play area and a green space with wetland at the northern corner. The landscape strategy proposes a green space with play area and a green space with wetland. Provision of an enhanced off-road walking route between Blakeley Road and Autism Together. Provision of public footpaths to Raby village across Leverhulme's rural estate to the west of the site. Enhancements of bus infrastructure on Blakeley Drive in the form of flagpoles with DDA kerbs to demark bus service number 17. S106 financial contributions will be made towards appropriate enhancements to local facilities.

Design Charter Commitment			Assessment - Site G
			Indicative building footprints are based on the Nationally Described Space Standards. The scheme proposes the delivery of detached, semi-detached and short runs of terraced properties ranging from 2 to 4 bedrooms. 30% affordable housing will be provided.
8	<b>Homes and buildings</b>	To create properties which can adapt to residents' changing needs over time, and which provide a safe and comfortable environment to call home.	Use of Nationally Described Space Standards, 2015 Inclusion of Lifetime Homes where possible. Inclusion of private/communal garden space Garden sizes, generally no less than 10m in length. Limit overlooking between properties. Rear gardens will be designed to allow 21m between habitable rooms. Each development block is designed as a perimeter block as a result homes are designed to front outwards addressing the street and green corridors with rear gardens contained within the centre of the block. Parking provided to the side of the house, where the terraced housing is proposed parking will be within landscaped courtyards serving a maximum of 6 houses or within property rear gardens. A small parking court is proposed to serve the residential apartment building at the entrance to the site.
9	<b>Resources</b>	To support Wirral Council's Environment and Climate Emergency commitments by considering environmental, social and economic aspects of sustainability at all stages of the planning and design process.	Connection to wider cycleways and footpaths. Creation of a walkable neighbourhood. Mix of property sizes and tenures. Use of sustainable drainage systems. Garden and street tree planting Use of terraced and grouped properties. All homes to be designed to be zero carbon ready with low carbon heating and high levels of energy efficiency; A fabric first approach to energy efficiency; Use of dual aspect layouts to maximise daylighting and natural ventilation potential; Anticipated use of air source heat pumps and photovoltaic panels; Use of locally sourced, recycled and reused materials wherever possible; Use of timber from certified sustainable sources; Provision of at least one electric vehicle charging point per dwelling and secure, accessible cycle parking.
10	<b>Lifespan</b>	To deliver long-lasting, beautiful places to live. To maintain a role in their ongoing management and community stewardship.	Leverhulme has directly prepared this outline planning application and will play an active role in the future development.

**Table 5: Assessment against Design Charter Checklist**

6.90 The indicative housing mix, as follows, reflects local housing need together with the character and scale of the local area:

House type	%	Number of units	Affordable units (30%)	Market units
2-bed apartments	10	8	2	6
2-bed house	25	20	6	14
3-bed house	35	28	9	19
4-bed house	30	24	7	17
<b>Total new homes</b>	<b>100</b>	<b>80</b>	<b>24</b>	<b>56</b>

Table 6: Proposed Indicative Housing Mix

6.91 The net density of the scheme is 30 dwellings per hectare, reflecting its edge of settlement location and allowances for generous amounts of green infrastructure and landscape enhancements.

6.92 In summary, the design has been thoughtfully conceived, with great care given to the development's context. It will be comfortably integrated into its surroundings and will have a beautiful and bespoke character. It is in line with the objectives of the NPPF, the Leverhulme Vision and the Leverhulme Design Charter; the full details will be controlled by the reserved matters process, led by planning conditions, s.106 obligations and the commitments of the Design Charter.

#### TOPIC 4: Landscaping and Open Space

6.93 Reference has already been made to relevant sections of the NPPF Section 12, Achieving Well-Designed Places, in particular Paras 126 and 130. Measures for tree planting are also given significant weight (Para 131).

6.94 The relevant policies of the UDP are:

- GR5 (Landscaping and New Development);
- GR6 (Greenspace within New Family Housing Development);
- GR7 (Trees and New Development).

- 6.95 The masterplan layout is strongly landscape led, responding particularly to the recommendations of the original Ecological Impact Assessment (“EclA”) and the Landscape and Visual Amenity chapter of the EIA to enhance landscape character and biodiversity, whilst also moderating visual prominence by assimilating the development into its landscape setting.
- 6.96 Full details are in the Design and Access Statement but in essence the proposal would:
- a) Retain/provide a 10m buffer to the existing woodland, scrub and grassland complex in the west of the site;
  - b) Retain all hedgerows, except to allow for access, and incorporated a buffer zone from built development covering, as a minimum, the root protection area and up to 5m where possible;
  - c) Retain all moderate and high-quality trees within the site, and lower quality trees where appropriate, and kept root protection areas free from built development;
  - d) Provide on-site compensatory habitat creation and enhancement (where possible), in addition to offset habitat creation/enhancement to deliver biodiversity net gain overall via the Leverhulme Vision;
  - e) Incorporate opportunities for nesting birds and invertebrates within the development;
  - f) Provide landscaping to include plant species of native origin, with high value for pollinating insects, and incorporated areas for semi-natural biodiversity habitats;
  - g) At reserved matters, detailed landscape design will include measures to ensure minimal impacts on nocturnal animals.
- 6.97 It is concluded that the proposed approach will secure high quality landscaping and open space, fully in line with the objectives of the NPPF, the Leverhulme Vision and the Leverhulme Design Charter.

## TOPIC 5: Landscape Character and Visual Impact Assessment

- 6.98 Reference has already been made to relevant sections for the NPPF Section 12, Achieving Well-Designed Places, in particular Paras 126 and 130.
- 6.99 Section 15, Conserving and Enhancing the Natural Environment is also relevant, in particular Para 174:

*“Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate”.*

- 6.100 The relevant policies of the UDP are:

- GR5 (Landscaping and New Development);
- GR6 (Greenspace within New Family Housing Development);
- GR7 (Trees and New Development);
- LAN1 (Principles for Landscape);
- LA7 (Criteria for Development at the Urban Fringe)

- 6.101 A Landscape and Visual Amenity chapter forming part of the submitted Environmental Statement has been prepared by Barnes Walker Ltd. This provides an indication of the potential landscape and visual effects associated with the proposal and has informed the evolution of the masterplan layout through an iterative process.

- 6.102 The conclusions of the LVIA are as follows:

- a) The Site is visually well contained, however generally partially filtered views of the construction activity would be experienced from Raby Hall Road, the Public

Footpath on the golf course (FP36), the golf course itself and from Raby Hall School, resulting in visual effects ranging between Negligible and Moderate-Major Adverse.

- b) The construction phase is expected to generate some significant adverse landscape and visual effects however, the effects would be confined to the immediate local area and would be temporary and short term.
- c) The Year 1 Operational landscape and visual effects include some significant adverse levels of effect; however, all effects would be localised and would be temporary until the landscape matures.
- d) In visual terms, at Year 15 users of the local highway network would experience levels of residual visual effect of between Negligible and Minor-Moderate Adverse, people walking public footpath FP36 would experience residual visual effects of between Negligible and Negligible-Minor Adverse, golfers on Bromborough Golf Course would experience residual visual effects of between Negligible and Negligible-Minor Adverse, whereas people using the Raby Hall School Site would experience a residual visual effect Minor-Moderate Adverse.
- e) Upon maturity of the landscape (Year 15) there would be no significant residual landscape or visual effects.

## **TOPIC 6: Transport and Highways**

- 6.103 NPPF Chapter 9 'Promoting Sustainable Transport' outlines the important role that transport policies have to play in facilitating sustainable development.
- 6.104 Para 110 states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.

- 6.105 Para 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be 'severe'.
- 6.106 Chapter 15 of the UDP Chapter 15 sets out policies relating specifically to Transport, as follows:
- TRT1 (Provision for Public Transport);
  - TRT3 (Transport and the Environment);
  - TR9 (Requirements for Off-Street Parking).
- 6.107 The submitted Transport Assessment by Curtins sets out the impact of the proposed development on the surrounding highway.
- 6.108 As already discussed above, the site is in a sustainable location, given its proximity to existing residential areas and a number of public transport modes.
- 6.109 The proposal has evolved in dialogue with the relevant officers of both WBC and National Highways, with scoping discussions setting out the required trip generation, traffic growth and junctions for consideration within the agreed study area.
- 6.110 Vehicular access for the proposed development is to be provided directly from Blakeley Road in the form of a priority junction arrangement. The junction has been designed in accordance with WBC's Adoptable Residential Roads Specifications and the relevant design standards. The access provides pedestrian infrastructure in the form of 2m wide footways, and an informal pedestrian crossing complete with dropped kerbs and tactile paving that connects onto the existing footway provision along the eastern side of Blakely Road.
- 6.111 The internal layout has been designed to provide multiple direct and convenient connections for pedestrians and cyclists to support the creation of a sustainable development site. A green corridor is proposed internally within the site that provides an off-road pedestrian/cycle connection across the Autism Together site to the west. This connection falls within land under the control of Leverhulme Estates and would offer a convenient facility for future site users to benefit from.

- 6.112 The walking, cycling and public transport opportunities at the site constitute alternative modes of travel to the car which are considered to be realistic modes of travel for a range of different journey types. The site is therefore considered to be accessible from sustainable modes of travel in line with national and local transport planning policy. Additionally, enhancements to the local bus infrastructure have been proposed in the shape of flagpole bus stops with DDA kerbs along Blakeley Road.
- 6.113 A review of accidents on the local highway network does not indicate any correlations that would suggest that highway condition, layout or design were significant contributory factors in the accidents.
- 6.114 A TRICS-based trip generation forecast exercise has been undertaken to establish the likely number of vehicular trips associated with the proposed development. It is not considered that the traffic generated by the proposed development would have a perceptible impact on the surrounding highway network.
- 6.115 A review of relevant local and national transport planning guidance has been undertaken. It is considered that the proposed development conforms with such policy.
- 6.116 The proposed development meets the sustainable objectives of the National Planning Policy Framework and its residual traffic impacts are not severe. From a traffic and transportation perspective there are no reasons why the development proposals should not be granted planning approval.

## **TOPIC 7: Ecology and Biodiversity**

- 6.117 The NPPF, notably Para 180, sets out how planning decisions should contribute to and enhance the natural and local environment. The Environment Act 2021 requires all planning applications to demonstrate how a development proposal will enhance biodiversity and protect habitats. This is to be achieved through a minimum 10% Biodiversity Net Gain (“BNG”) using the most up to date Defra Metric.
- 6.118 At the local level, the relevant policies of the UDP are as follows:
- NC01 (Principles for Nature Conservation);

- NC1 (Protection of Sites of International Importance for Nature Conservation);
- NC2 (Sites of International Importance for Nature Conservation);
- NC3 (Protection of sites of National Importance for Nature Conservation);
- NC4 (Sites of National Importance for Nature Conservation);
- NC5 (Protection of sites of Local Importance for Nature Conservation);
- NC6: Sites of Biological Importance;
- NC7: Species Protection.

6.119 The applicant's ecological consultant, Environment Bank, prepared the Ecology chapter within the submitted Environmental Statement, as well as preparing the Habitat Regulations Assessment ("HRA") work and Biodiversity Accounting Assessment report accompanying this application.

6.120 The EIA Ecology chapter addresses the potential effects on ecology and nature conservation, the methods used to assess the effects, the baseline conditions, the required mitigation measures, and the likely residual effects after these measures have been adopted, together with proposed enhancement measures.

6.121 The habitats present on-Site are widespread, in both a local and national context. Those habitats with the greatest ecological value (i.e. pond, hedgerows and broadleaved woodland) are to be retained within the development, where possible. Whilst there is likely to be a temporal delay in achieving the biodiversity objectives for the Site (i.e. whilst new habitats become established), it is anticipated that in the long term there will be no significant residual effects on habitats or protected species resulting from the Proposed Development.

6.122 As set out in the submitted Biodiversity Accounting Assessment Report the development will deliver a net gain of

6.123 As set out in the submitted Biodiversity Accounting Assessment Report for this site. On balance of the impacts and proposed habitat creation/enhancement, the report concludes that the development will deliver a net gain of 1.45 habitat Biodiversity Units (equivalent to a 10.22% increase) and a net gain of 0.99 hedgerow Biodiversity Units (equivalent to a 27.72% increase). In addition to on-Site biodiversity gains and on

balance of impacts and habitat creation/enhancement, the report also concludes that the off-site measures linked to the Leverhulme Vision will result in an additional net gain of 11.45 habitat Biodiversity Units (equivalent to a 91.96% increase) and 1.29 hedgerow Biodiversity Units (equivalent to a 100% increase). It can be concluded that a considerable biodiversity net gain above the forthcoming 10% threshold has been achieved in the local area. This can be attributed weight in the planning balance as one of the very special circumstances. This in turn will provide additional habitat resources to support the local wildlife whilst increasing the resilience of existing habitats of value.

- 6.124 A Habitat Regulations Assessment (“HRA”) screening report accompanies this application (Stage 1 of the HRA process), which provides information to assist the Council, the ‘Competent Authority’, in carrying out a HRA in accordance with the EU Habitats Directive (92/43/EEC) to determine whether or not the proposed development would have a likely significant effect on those European conservation sites and Ramsar sites that fall within a 10km radius of the site, either alone or in combination with other plans or projects.
- 6.125 The conclusion of the assessment suggests that the Competent Authority will need to undertake an Appropriate Assessment in respect of increased recreational pressure in-combination with other plans and projects. However, a suitable mitigation strategy has been brought forward in the form of the Suitable Alternative Natural Greenspace (“SANG”) located to the east of Pensby and west of Barnston and subject to a standalone full planning application.

## TOPIC 8: Trees

- 6.126 Para 131 NPPF states: *“Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers*

*and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”*

- 6.127 UDP Policy GR5 (Landscaping and New Development) requires proposals (inter alia) to “(iii) provide for new planting and for the protection, replacement or enhancement of existing features such as ponds, trees, bushes, shrubs or hedges including, where relevant, appropriate boundary treatment and provision for the protection of wildlife”.
- 6.128 A Preliminary Arboricultural Impact Assessment (“PAIA”) by Tyler Grange forms part of the application. It states the trees are largely of moderate Arboricultural value, either individually or collectively, interspersed with high and low value trees. A relatively sparse hedgerow is established along the east boundary.
- 6.129 The offsite woodland to the north of the site (W2) is of high arboricultural value and is subject to a Tree Preservation Order (TPO), together with the western treeline (G10) and woodland copse at the south of the site (W1).
- 6.130 The baseline survey and preliminary assessment of impacts have been completed in accordance with the British Standard 5837 (2012) to accord with industry best practice.
- 6.131 The Illustrative Masterplan has been designed to retain the vast majority of the surveyed trees and tree groups within suitable boundary landscape buffers and reducing conflicts through the placement of hardstanding and buildings outside of the RPAs where possible. Internally, tree losses are limited to a single low value tree (T1) which is required for removal within the site owing to conflicts with the proposed highways arrangement.
- 6.132 In terms of boundary impacts, the removal of a moderate value mature tree (T8) together with low value trees T9, T10, and a section of hedgerow H2 will be required to accommodate the proposed new highway access route from Blakeley Road towards the south eastern corner of the site. Alternative access points into the site were tested by the appointed highways consultants, in consultation with Tyler Grange. This determined the optimal location of the entrance, when taking into consideration with the distance from the Raby Drive junction and curvature of Blakeley Road, which were considered likely to result in undue safety concerns.

- 6.133 In terms of mitigating the potential tree losses, the Illustrative Masterplan has identified areas of opportunity for new hedgerow and tree planting to be incorporated into the soft landscape scheme within the street scenes and residential gardens of the proposed development. The detailed soft-landscape design should incorporate hedgerow planting as direct compensation for removal of a section of hedgerow H2, and large specimen trees as direct compensation for the loss of trees T8, T9, and T10. It is considered that this would provide a long-term betterment to the site's green infrastructure through species and canopy diversity, tree numbers and habitat connectivity.
- 6.134 With the incorporation of a well-designed landscape scheme to compliment the Illustrative Masterplan, in-line with the objectives of local planning policy as set out in this report, it is anticipated that the long-term amenity function of trees will be retained to the boundaries of the site once the new planting has established. No high value or TPO trees will be removed. The development is therefore considered supportable in the context of the NPPF and local planning policy as it relates to trees on balance.

### **TOPIC 9: Heritage**

- 6.135 Section 16 of the NPPF concerns conservation and enhancement of the historic environment. NPPF Paras 199 to 203 address the potential impacts of a development proposal on designated and non-designated heritage assets.
- 6.136 The relevant policy of the UDP in this instance is CH01 (The Protection of Heritage).
- 6.137 A Heritage Impact Assessment ("HIA") prepared by SLR has identified that there are no designated heritage assets located within the Site. No designated heritage assets would therefore be physically affected by the proposals.
- 6.138 A number of potential features have been identified which could exist within the Site, however, and these comprise:
- a) remnant historic field boundary ditches or evidence of agricultural practises;
  - b) remains relating to post-medieval quarry pitting; and

c) unknown buried remains.

- 6.139 If present, remains relating to post-medieval agricultural practises or quarrying activity within the Site would be anticipated to be of low importance with their significance deriving from their archaeological interests, as they would have the potential to contribute data to the wider understanding of local agricultural practises and land use. Their potential presence would be unlikely to preclude development with any necessary fieldwork (if required) able to be undertaken as a condition to consent. Likewise, any impact to other remains of earlier date is unlikely to be significant. This is with due regard to the evidence base submitted. Therefore, their potential presence should not preclude development either with any fieldwork able to be delayed as a condition to consent.
- 6.140 The scope of any required archaeological mitigation work would be agreed through consultation with the Merseyside Environmental Advisory Service Planning Archaeologist.
- 6.141 In respect to setting impacts, it is concluded that the proposals would be anticipated to result in no harm to the significance of the designated heritage assets within the Site environs as a result of changes to setting. The key contributing interests to the significance of those heritage assets, and the key views towards and from them, would be preserved under the proposals. The ability to appreciate their significance would also be preserved.

#### *Raby Hall Non-Designated Heritage Impact*

- 6.142 The HIA states Raby Hall (MME2940) is a non-designed heritage asset which is identified as having the potential to be affected by the development through settings change. Despite this, the HIA states the change does not necessarily equate to an adverse effect, and it is anticipated that the effect of the Proposed Development on the significance of Raby Hall through setting change would be limited.
- 6.143 The HIA states a limited effect is predicted based on the potential visibility of modern residential development in views from the asset. However, the proposals would sit to the rear of modern buildings or tree screening already part of any viewshed from the

asset. Tree screening and intervening built development would also screen views of the Site from the access driveway and whilst it is possible that the Site once lay in associated parkland (this is uncertain) the Site does not hold parkland character in its extant form and is detached from the Hall with no obvious designed connection. As such the extant Site is not considered to be a factor which makes a material contribution to the Hall's significance.

- 6.144 Any low level of harm resulting from visibility should be weighed in the planning balance consistent with paragraph 203 of the NPPF, but it would not be anticipated to preclude development on the basis that the asset is non designated, and that the architectural and historic interest of the asset lies predominantly within the asset's fabric with important elements of setting that may contribute to these interests predominantly conserved. It is also possible that a detailed masterplan prepared as part of a detailed application could minimise/negate any adverse effects, potentially providing for enhancement should this be possible.
- 6.145 Overall, the proposals would be consistent with the provisions of the Planning (Listed Buildings and Conservation Areas) Act (1990) Section 66(i), NPPF (2021) paragraphs 199-203, as well as the relevant provisions within Wirral MBC's Unitary Development Plan (UDP) (February 2000), including policy CH01.

#### **TOPIC 10: Flood Risk and Drainage**

- 6.146 The NPPF advises that development proposals in Flood Zones should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development and the appropriate use of Sustainable Urban Drainage ("SUDs").
- 6.147 The policies of the UDP relevant to flood risk and drainage are:
- WAT1 (Fluvial and Tidal Flooding);
  - WA2 (Development and Land Drainage);
  - WA3 (Development and Groundwater Protection);
  - WA4 (Safeguarding Water Resources);
  - WA5 (Protecting Surface Waters).

- 6.148 A Flood Risk Assessment and Drainage Strategy by SLR is submitted with the application. The assessment shows the site is wholly within Flood Zone 1; this is defined within Planning Policy Guidance as areas where the probability of flooding from fluvial sources has been assessed to be low (i.e., less than 0.1% annually).
- 6.149 There are no significant surface water flow pathways through the Site. The Site is located near the top of a local topographic high and therefore there is not a significant catchment for surface water to progress to the site. A range of other potential sources of flooding have been assessed and it is concluded that the risk of flooding from groundwater; sewers and water mains; reservoirs, canals and artificial sources; and infrastructure failure is low to negligible at this Site.
- 6.150 The drainage design has assumed discharge to an existing drainage channel to the west of the Site. There may be an opportunity to achieve some discharge to ground at the Site, subject to infiltration testing and the surface water drainage strategy would therefore be refined following on-site testing. The assumption of discharge to an existing watercourse is considered to be a conservative approach to design for this application.
- 6.151 Surface water attenuation will be provided for in a pond located in the west of the Site. Design of the pond is adequate to provide attenuation during a range of rainfall events assessed, up to and including the 1% AEP with an allowance for climate change.
- 6.152 The proposed SuDS components are sufficient to provide water quality treatment of surface water in the development in line with the simple index approach outlined in the SuDS Manual. In the event of an exceedance, water would overtop the pond and follow the topographic gradient beyond the north and western and north western Site boundaries, towards Clatter Brook. This is following the existing route of overland flow from the section of the Site where the impermeable area is proposed. Runoff will discharge diffusely onto adjacent land and will not increase the risk of flooding on the downslope areas.
- 6.153 In summary it is considered that, given the site layout, the flood risk posed to development will be very low. Furthermore, sustainable drainage strategy will ensure control of surface water discharge rates for all storms up to and including the 1% AEP

including an uplift of 40% in peak rainfall as a result of climate change. In the light of this, the development is considered to comply with the flood risk requirements of NPPF and the associated Planning Practice Guidance.

## TOPIC 11: Living Conditions

- 6.154 A site noise survey is submitted with the application (see Acoustics chapter of the EIA) and the non-technical noise summary states the significance of the effect of construction noise on existing local receptors is considered to be Negligible and therefore considered to be Not Significant in terms of EIA.
- 6.155 The significance of the effect of environmental noise arising from noise sources in the vicinity of the Site incident upon the proposed External elements of the Development is considered to be Negligible to Minor and therefore considered to be Not Significant in terms of EIA.
- 6.156 The significance of the effect of environmental noise arising from noise sources in the vicinity of the Site incident upon the proposed internal elements of the Development is considered to be Negligible and therefore considered to be Not Significant in terms of EIA.
- 6.157 Development related Traffic impacting upon existing residents is considered to be Negligible and therefore considered to be Not Significant in terms of EIA.
- 6.158 No cumulative effects have been identified.
- 6.159 In terms of air quality assessment, a qualitative assessment of potential impacts associated with the generation of dust construction activities on both human and ecological receptors has been undertaken to inform the extent of controls to be applied throughout the construction phase. All dust impacts are considered to be temporary and short-term in nature.
- 6.160 A screening assessment of road traffic flows has been undertaken. Road traffic impacts associated with the operation of the site can be considered as having an insignificant effect on local air quality. No mitigation is required.

- 6.161 A detailed modelling assessment of site suitability has been undertaken to determine pollutant concentrations at potential sensitive locations. Predicted pollutant concentrations at the locations assessed are 'well below' the air quality objectives, and therefore the Site is considered to be suitable for its proposed residential use.

## **TOPIC 12: Loss of Agricultural Land**

- 6.162 NPPF (Para 174b) states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 6.163 The relevant UDP Policies are URN 1 (Development and Urban Regeneration), AGR1 (The Protection of Agriculture) and AG2 (The Protection of Best Quality Agriculture Land).
- 6.164 The submitted Agricultural Land Quality chapter of the EIA by Reading Agricultural Consultants conclude the Proposed Development would result in the loss of 3.7 ha of BMV agricultural land, mostly in Grades 1, 2 and 3a.
- 6.165 Given that nearly 60% of the agricultural land available in the Wirral is grassland used for dairying and lowland livestock grazing, with the remainder mostly agricultural land used for growing cereals, there are no clear land use benefits derived from the presence on BMV land at this site.
- 6.166 The economic benefits from agriculture in the Wirral on all grades of agricultural land are very small, with the sector accounting for only around 0.2% of all employment and contributing only 0.2% of the Gross Value Added to the economy in the Borough.
- 6.167 Predicted and actual ALC data therefore indicate that BMV land will inevitably be required to meet the development needs of the Borough and that there are no clear

realised land use economic benefits derived from the presence of BMV land in the Wirral.

- 6.168 Furthermore, there are no universally applicable measures available to mitigate the direct loss of agricultural land. However, measures to mitigate the impacts on soil resources will ensure that the soil will be able to fulfil its various functions. It is proposed that this be addressed in a Soil Resource Management Plan (“SRMP”), to be prepared at the detailed design stage and secured by a planning condition. This plan would confirm the different soil types (based on the surveys already undertaken) their most appropriate re-use and the proposed methods for handling, storing and replacing soils on-site. In this way, the displaced soil resources on-site will be used in the detailed design of open spaces and green infrastructure.
- 6.169 Notwithstanding the above, it is worth highlighting that Defra statistics show that approximately 53% of the agricultural land in the Borough is likely to be best and most versatile land, which is a higher proportion than found nationally (Natural England’s TIN 049 estimates that 42% of England’s agricultural land is BMV). The opportunities to use solely non-BMV land for development in the Wirral are therefore more limited than would typically be found in the country.

### **TOPIC 13: Waste**

- 6.170 Policy WM9 (Sustainable Waste Management Design and Layout for New Development) requires that the design and layout of new built developments and uses must, where relevant, provide measures as part of their design strategy to address the following:
1. Facilitation of collection and storage of waste, including separated recyclable materials;
  2. Provide sufficient access to enable waste and recyclable materials to be easily collected and transported for treatment;
  3. Accommodation of home composting in dwellings with individual gardens;
  4. Facilitate small scale, low carbon combined heat and power in major new employment and residential schemes, where appropriate.

- 6.171 The design allows for items 1-3 of the policy. The scale of the project is not sufficiently large to justify the use of combined heat and power.

#### **TOPIC 14: Benefits of the Scheme**

- 6.172 The benefits of the proposal are numerous and are fully reflective of the Leverhulme Vision and the Leverhulme Design Charter, as well as key aspects of the NPPF, the recommendations of the Building Better, Building Beautiful Commission and the National Design Code.

- 6.173 The scheme will enable:

#### **6.174 Economic Benefits**

- i. The total construction cost of the project would amount to millions of pounds, with a significant proportion being connected to job creation;
- ii. It is estimated that 120 direct jobs and 80 indirect jobs could be supported during the course of the construction period, including four apprentices, graduates or trainees;
- iii. The construction phase is likely to also increase demand for temporary accommodation, and spending at local shops, restaurants and public houses will also increase temporarily;
- iv. Although the scheme does not include employment uses, it would provide up to 120 new homes for current employees, supporting future employment growth. Additionally, a small number of jobs will be supported as part of the management of the open spaces;
- v. Utilising the latest Office for National Statistics (“ONS”) data, the new residents would contribute some £483,808 annually to the local recreation and leisure economy, and some £476,000 annually to the local convenience goods and services economy. Moreover, these figures are likely to be conservative estimates since they exclude spend on convenience goods such as ‘clothing and footwear’ or ‘household goods and services’;

- vi. The new residents will also generate demand for a range of public services, including health, education and a range of public administration functions which in turn is likely to generate the need for additional staff.

#### 6.175 **Social Benefits**

- i. For many years, it has been recognised by national government<sup>9</sup> and various other organisations that failure in the housing market is one of the greatest barriers to progress, with the relationship between housing costs and average earnings at an all-time high;
- ii. Through many recent appeal decisions, the Secretary of State has consistently given great or substantial weight to the provision of housing, even when there is a 5HYLS and policy compliant affordable housing (in this case, there is no 5YHLS and the affordable provision significantly exceeds the policy requirement);
- iii. The housing market in Wirral has disproportionately high affordable housing need. The proposed affordable provision has been carefully targeted to address these local requirements, and is significantly in excess of WBC's draft policy position
- iv. As one of eight viable housing sites, this development will also deliver market housing as part of a mix of tenure types in the initial years of the Local Plan submission draft plan period;
- v. The new housing will be provided in a sustainable location close to facilities, railway station and bus services;
- vi. Footpath and cycleway links will encourage walking and cycling to local facilities instead of vehicle use;
- vii. 27% of the site will become public open space incorporating green and blue infrastructure and delivering benefits for wildlife and people. These features will encourage vitality, supporting health and wellbeing, the formation and strengthening of community organizations and community cohesion.

---

<sup>9</sup> See for example, ['Fixing our Broken Housing Market' Department of Communities and Local Government, September 2017](#)

## 6.176 Environmental Benefits

- i. Creation of a new neighbourhood integrating well within its surroundings, and establishing a beautiful and bespoke character reflecting the Leverhulme vernacular and the best of Wirral;
- ii. A permeable layout, moderate densities, footpath and cycleway links encouraging walking and cycling to local facilities instead of vehicle use;
- iii. Provision of a Pocket Park and Play Area;
- iv. The retention of existing trees, woodland and hedgerow except where required for access, and creation of appropriate habitat buffers
- v. Surface water run-off attenuated on site using sustainable drainage features;
- vi. A layout that maximises the zero-carbon potential from a passive design perspective;
- vii. All homes to be designed to be zero carbon ready with low carbon heating and high levels of energy efficiency;
- viii. Use of locally sourced, recycled and reused materials wherever possible;
- ix. A reserved matters process guided by the Leverhulme Design Charter as well as planning conditions and S106 obligations;
- x. Provision of an off-road pedestrian route to Blakeley Road;
- xi. Extending pedestrian connectivity within the retained Green Belt areas of Leverhulme ownership;
- xii. In terms of biodiversity, a landscaping scheme which enhances species richness, whilst providing habitats of greater ecological value;
- xiii. Biodiversity Net Gain of 1.45 habitat Biodiversity Units (equivalent to a 10.22% increase) and a net gain of 0.99 hedgerow Biodiversity Units (equivalent to a 27.72% increase). In addition to on-Site biodiversity gains and on balance of impacts and habitat creation/enhancement, the report also concludes that the off-site measures linked to the Leverhulme Vision will result in an additional net gain of 11.45 habitat Biodiversity Units (equivalent to a 91.96% increase) and 1.29 hedgerow Biodiversity Units (equivalent to a 100% increase);
- xiv. Introduction of a comprehensive Green Belt management regime, both locally and within the wider Leverhulme estate.

## TOPIC 15: Draft Section 106 Heads of Terms

- 6.177 This topic outlines the Planning Obligations that are acceptable to Leverhulme in association with this proposed development for up to 80 dwellings on Land West of Raby Hall, Raby Mere.

### Background

- 6.178 The Planning Obligations identified below have been arrived at following a review of relevant Development Plan policies (including policies relating to affordable housing) as well as by reference to site circumstances.

### Affordable Housing

- 6.179 Leverhulme propose affordable provision at 30%, in excess of the level contemplated in the emerging Local Plan. The site will therefore deliver up to 24 affordable units.
- 6.180 The obligations will secure the provision of a mix of affordable tenures and unit sizes, reflecting the profile of affordable need. The proportions proposed will be confirmed through subsequent Reserved Matters applications. It is anticipated that the tenure arrangements will be subject to suitable cascade provisions.

### Permissive Link

- 6.181 A new permissive link for non-motorised users is proposed to link Site G with Blakeley Road. The Planning Obligation will provide for the timing of delivery of this link. In addition, it will provide for arrangements to integrate with existing links to Autism Together in the event that Site G is approved independently of Site F.

### Public Open Space

- 6.182 The application will deliver informal open space of 1.06ha within the application site.
- 6.183 The Planning Obligation will provide for:

- i. the timing of provision of the open spaces;
- ii. the potential transfer of these facilities to Wirral BC; and
- iii. a commuted sum for maintenance of the open spaces

6.184 Land is identified for this purpose on Parameter Plan 1815/01/909 Rev. C.

Public Rights of Way

6.185 Planning Obligations concerning the creation of a new off-site footpath (PRoW) between the motorway overbridge and Raby Village are contemplated.

SANG

6.186 The potential impact of increased recreational pressure on nearby SPAs is proposed to be mitigated via the provision of a new SANG. This is subject to a separate full planning application. Leverhulme will provide a Planning Obligation not to allow any residential unit provided on Site G to be occupied prior to the laying out of the SANG and it being made accessible for recreational access.

Off-site Environmental Enhancements

6.187 New woodland and wetland planting is proposed off-site. This will deliver additional biodiversity net gain. The areas are identified on plans appended to the Analysis of Very Special Circumstances paper (Appendices C, D and E). The Planning Obligation will specify:

- i. the areas to be subject to the planting;
- ii. the timing of delivery of the planted areas;
- iii. the management and retention of the areas.



Costs

- 6.188 Leverhulme will make an appropriate contribution to the Local Planning Authority's costs in entering into a Section 106 Obligation and its subsequent monitoring, to be agreed between the parties in the event that the Planning Obligations are settled by agreement.

## 7.0 Planning Balance and Conclusion

---

- 7.1 The starting point is s.38(6) of the 2004 Act<sup>10</sup>, requiring the application to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. In this case, significant material considerations are:
- i. Whether or not the development plan and its associated spatial strategy are out-of-date, and;
  - ii. The relevant policies of the NPPF.
- 7.2 It is also acknowledged that one non-designated heritage asset, Raby Hall (MME2940), has been identified as having the potential to be affected through settings change. In line with NPPF Para 203, a balanced judgement is required having regard to the scale of any harm or loss and the significance of this heritage asset. 'Low harm' has been identified, such that the effect would not preclude development.
- 7.3 Furthermore, it is considered that there would be no harm to the setting of the nearby designated heritage asset, Poulton Hall (NHLE 1343498).
- 7.4 It is acknowledged that the proposal would cause harm to the Green Belt by reason of inappropriateness and loss of openness and would have limited harmful effect on the character and appearance of the area. It therefore conflicts with Policy GB2 (Guidelines for Development in the Green Belt).
- 7.5 Harm is also caused by the impact on landscape at the urban fringe (Policy LA7) and the loss of best and most versatile agricultural ("BMV") land (see limb (iv) of Policy URN1 (General Principles and Regeneration)).
- 7.6 However, as already noted, the settlement boundaries, or areas where development is deemed appropriate, set by URN1 are predicated on out of date development assessments derived in the 1980s. They do not purport to provide for the housing needs of the current plan period.

---

<sup>10</sup> <https://www.legislation.gov.uk/ukpga/2004/5/contents>

- 7.7 Consequently, the plan and its associated spatial strategy cannot be regarded as up to date in general terms because they were not prepared in light of policies contained within the NPPF. This in itself triggers the operation of Para 11(d) of the NPPF as the *“relevant development plan policies”* are out-of-date.
- 7.8 In addition, the lack of a 5YHLS engages footnote 8, which also triggers the operation of Para 11(d).
- 7.9 Furthermore, and taking account of the test at Para 219 of the NPPF, other aspects of UDP policy do not demonstrate consistency with relevant clauses of the NPPF (see analysis at Appendix 1) and can therefore be accorded reduced weight. This too triggers the operation of Para 11(d).
- 7.10 In the case of Green Belt, the assessment of harm must be made in accordance with NPPF Para 148 which states that very special circumstances will not exist *“unless the potential harm by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”*.
- 7.11 The proposal exhibits inappropriateness as it is part proposed for housing, and harm to openness on those built elements (but the balance of the proposal does not cause harm to openness or inappropriateness).
- 7.12 According to the Council’s own judgment, it is a ‘weakly performing site’ in Green Belt terms and specifically makes no contribution in terms of Purpose 4, and makes only a ‘Weak’ contribution in terms of Purposes 1 and 2. The harm, therefore, only needs to be assessed in terms of the ‘Moderate’ contribution to Purposes 3 and 5. In the case of Purpose 3, it is inevitable that any greenfield site within the Green Belt will encroach into the countryside, but the proposed development does not significantly alter the existing spatial pattern, and the encroachment does not extend across the full extent of the site. Finally, we believe that Purpose 5 will continue to be performed since there is housing need beyond the Leverhulme Sites A to H, the provision of which will be reflected in the urban areas by alleviating the pressure of housing numbers to be delivered through the Local Plan.
- 7.13 Para 148 requires that substantial weight is given to any harm to the Green Belt. In addition, there is recognition of the limited landscape harm to a landscape which does

not qualify as a 'valued landscape' for the purposes of Para 174a of the NPPF and the limited loss of BMV. Both of these are accorded limited weight in the planning balance.

- 7.14 Against this overall harm are set the significant benefits of the scheme, notably the estate-wide and site-specific 'Very Special Circumstances' and the wide range of economic, social and environmental benefits. It is considered that these benefits clearly outweigh the Green Belt harm by reason of inappropriateness and any other harm and, as such, VSCs exist.
- 7.15 The test at Para 148 is therefore passed, and in so doing the scheme is national policy compliant and there is no 'clear' reason for withholding permission under Para 11(d)(i). The tilted balance is therefore engaged under Para 11(d)(ii), and it is apparent from the foregoing that rather than the harms significantly and demonstrably outweighing the benefits, the benefits outweigh the harm.
- 7.16 Therefore, in the public interest and in accordance with national policy, planning permission should be granted.

Appendix 1 - Summary of relevant policies from the Wirral  
Borough Council Development Plan (Land east of Raby Hall, Raby  
Mere)

Adopted Local Plan (Wirral Unitary Development Plan) Policy (unless otherwise stated)	Policy summary	Corresponding NPPF paragraph(s)	Out of date by virtue of inconsistency with the NPPF? <sup>1</sup>	Out of date by virtue of the principle set out in paragraph 63 of Hopkins Homes?	Out of date by virtue of footnote 8 of the NPPF?	Weight to be given to the policy  (Full, Significant, Moderate, Limited, No Weight).	Is the Leverhulme proposal compliant with the Adopted Local Plan Policy?
<b><u>Policies which are most important for determining the application (in accordance with paragraph 11(d) of the NPPF)</u></b>							
Principle of development							
HSG1 – New Dwelling Requirements	The LPA will ensure that 10,500 new dwellings can be provided in the period April 1986 to March 2001.	60, 61, 62, 68	Yes - The assessment of need is not informed by a local housing need assessment in accordance with para. 61 of the NPPF.	Yes – Out of date assessment of housing need which informs policies of restraint elsewhere in the plan.	Yes	No weight	NA
URN1 – Development and Urban Regeneration	‘The local planning authority will be guided by the general principles of the urban regeneration strategy. In particular, the local planning	Section(s): 5, 6, 13, 14, 15	Yes – the NPPF recognises the need for development in rural areas, particularly	Yes – Policy seeks to direct development to urban areas and	Yes	Limited	No

<sup>1</sup> So far as is relevant to this application.

	<p>authority will be concerned to ensure that:</p> <p>(i) Full and effective use is made of land within urban areas;</p> <p>(ii) Neglected, unused or derelict land or buildings are brought into use;</p> <p>(iii) The need for new services is minimised by promoting the use of spare capacity in existing services</p> <p>Whilst:</p> <p>(iv) The following types of land or buildings are protected from inappropriate development:</p> <ul style="list-style-type: none"> <li>- Green belt</li> <li>- BMV agricultural land</li> <li>- Special landscape value</li> <li>- Ecological or nature conservation importance</li> <li>- Current recreational areas</li> </ul>		<p>adjacent to existing settlements: see paras 70 and 85.</p>	<p>restrict elsewhere based on an out-of-date assessment of development needs.</p>			
--	---	--	---	--	--	--	--

	<ul style="list-style-type: none"> <li>- Listed buildings</li> <li>- Buildings of historic or archaeological interest</li> <li>- Conservation areas.</li> </ul>						
HSG2 – Affordable Housing	Where appropriate, the LPA will negotiate with developers and housing associates to encourage the provision of an element of affordable housing, on sites allocated for new housing development and on sites not allocated but which come forward for development...	20, 34, 63, 65	Yes - the objective of the policy is broadly consistent with the NPPF, but it is inconsistent in that it does not set out the level and type of affordable housing to be delivered in accordance with para. 34 of the NPPF.	No	Yes	Moderate	Yes
GB2 – Guidelines for Development in the Green Belt	<p>Within the GB there is a general presumption against inappropriate development and such development will not be approved except in VSC.</p> <p>Planning permission will not be granted for development</p>	147-151	No	No	Yes	Full	No

	<p>in the GB unless for the purposes of:</p> <ul style="list-style-type: none"> <li>(i) Agriculture and forestry</li> <li>(ii) Essential facilities... which preserve the openness of the land</li> <li>(iii) Limited extension, alteration, or replacement of existing dwellings...</li> <li>(iv) Limited infilling in existing villages...</li> </ul>						
Landscape							
LAN1 – Principles for Landscape	<p>In considering proposals for development, the LPA will have regard to the visual impact upon the local and wider landscape and will in particular:</p> <ul style="list-style-type: none"> <li>(i) Protect landscapes of special character, identified as areas of special</li> </ul>	174	Yes - the policy is inconsistent with the hierarchy in para. 174 of the NPPF, which only requires the impact of development on the intrinsic character and beauty of the	No	Yes	Limited	Partially

	<p>landscape value; and</p> <p>(ii) Promote the improvement and enhancement of damaged landscapes, identified as areas requiring landscape renewal.</p> <p>Proposals will not be permitted where their visual impact would be inappropriate, in terms of the character, appearance and landscape setting of the surrounding area.</p>		<p>countryside to be “recognised”.</p>				
Agricultural Land							
AGR1 – The Protection of Agriculture	<p>In considering proposals for development on agricultural land the LPA will seek to prevent:</p> <p>(i) The loss of the Wirral’s BMV agricultural land</p> <p>(ii) The severance or fragmentation of a farm holding</p>	174b	<p>Yes – the policy is consistent with the NPPF in so far as footnote 58 requires development to be directed towards poorer quality</p>	No	Yes	Limited	No

	<p>(iii) Unacceptable nuisance or disturbance to existing agricultural enterprise.</p> <p>Where development on BMV land is unavoidable such development should be directed to the lowest possible grade.</p>		<p>land. However, the policy is inconsistent with para. 174b in that it seeks to prevent the loss of BMV, whereas the NPPF only requires it to be recognised and taken into account.</p>				
AG2 – The Protection of Best Quality Agricultural Land	<p>In order to protect BMV agricultural land, proposals involving the non-agricultural use of land classified within Grade 1, Grade 2 and subgrade 3a of the MAFF Agricultural Land Classification must, before permission is granted, demonstrate the extent to which it would be practicable to return the land to its former quality if the development took place...</p>	174b	<p>Yes - the requirement to protect BMV remains consistent with policy. However, there is no requirement in the NPPF for land to be returned to its former quality.</p>	No	Yes	Limited	No
Ecology							

<p>NCO1 – Principles for Nature Conservation</p>	<p>The LPA will only permit proposals which will not adversely affect, directly or indirectly, the integrity of the borough’s international, national and locally designated sites for nature conservation and earth science... Where possible, networks of linear natural habitat and other corridors of importance to wildlife will also be retained and protected.</p>	<p>174-175, 179-182</p>	<p>Yes - the policy does not reflect the hierarchy of laid out in para. 175 of the NPPF which requires plans to distinguish between the hierarchy of international, national and locally designated sites.</p>	<p>No</p>	<p>Yes</p>	<p>Moderate</p>	<p>Yes</p>
<p>NC1 – The Protection of Sites of International Importance for Nature Conservation  NC2 – Sites of International Importance for Nature Conservation</p>	<p>Development proposals which may affect a European Site, a proposed European site or a Ramsar site will be subject to the most rigorous examination.  ...assessed against nature conservation objectives for the site. Development proposals identified as having an adverse effect on the integrity of the site will not be permitted, except when:</p>	<p>174, 175</p>	<p>No</p>	<p>No</p>	<p>No</p>	<p>Full</p>	<p>Yes</p>

	<p>(i) There are no alternative solutions</p> <p>(ii) There are imperative reasons of overriding public interest including those of a social or economic nature, which are sufficient to override the ecological importance of the site.</p> <p>Where a European site hosts a priority natural habitat type and / or a priority species, a development proposals will not be permitted unless the LPA is satisfied that it is necessary for reasons of human health or public safety or for beneficial consequences of primary importance to the environment.</p> <p>In the case of European sites, development proposals satisfying these requirements</p>						
--	---	--	--	--	--	--	--

	<p>will be subject to planning conditions and / or planning obligations in order to secure any compensatory measures necessary to protect the coherence of the network of European sites.</p> <p>The relevant sites are listed in Policy NC2.</p>						
<p>NC3 – The Protection of Sites of National Importance For Nature Conservation</p> <p>NC4 – Sites of National Importance for Nature Conservation</p>	<p>Development proposal likely to affect directly or indirectly, sites of national importance for nature conservation will be subject to special scrutiny and will not be permitted unless it can be demonstrated that the reasons for the development clearly outweigh the nature conservation or earth science value of the site and the national policy to safeguard national network of such sites.</p> <p>Where such development proposals are to be approved, the LPA may impose planning conditions and / or planning obligations to secure the protection and enhancement of the site’s value for nature</p>	174-175, 179-182, 180b	No	No	No	Full	Yes

	<p>conservation or earth science. In this respect the LPA will need to be satisfied that:</p> <ul style="list-style-type: none"><li data-bbox="488 341 824 587">(i) The development proposals are sites and designed... to conserve the integrity of the site;</li><li data-bbox="488 595 824 1054">(ii) Adequate provision has been made to minimise the potential for damage or injury to any part of the site during construction and after the development proposed is occupied; and</li><li data-bbox="488 1062 824 1380">(iii) Adequate measures have been taken in order to safeguard compliance with these requirements and where</li></ul>						
--	---	--	--	--	--	--	--

	<p>appropriate to pride for the reinstatement of damaged areas.</p> <p>The relevant sites are listed in Policy NC4.</p>						
Noise							
PO4 – Noise-Sensitive Development	<p>In considering proposals for noise-sensitive development, the LPA will have particular regard to:</p> <ul style="list-style-type: none"> <li>(i) The likely level, tone, duration, and regularity of noise exposure and any likely increase in the foreseeable future;</li> <li>(ii) The existing level of background noise within the locality;</li> <li>(iii) The extent to which the effects of noise on the proposal can be mitigated through measures such as alteration to layout, provision of noise insulation or</li> </ul>	174e	Yes – does not reflect the noise exposure hierarchy set out in paragraph 185 of the NPPF and the Noise Policy Statement for England.	No	Yes	Moderate	Yes

	<p>restriction of operating hours; and (iv) The noise exposure category of the site for the proposed residential development which is near an existing transport-related noise source.</p> <p>In all cases, noise sensitive development will only be permitted in locations which are not expected to become subject to unacceptably high levels of noise, or where adequate protection against noise can be achieved by means of planning conditions or planning obligations.</p>						
<p><b><u>Other relevant policies</u></b></p>							
<p>Principle of development</p>							
<p>HS6 – Principles for Affordable Housing</p>	<p>The LPA will seek to negotiate the provision of an element of affordable housing on suitable sites of over 1.0 hectare...</p>	<p>20, 34, 63, 65</p>	<p>No</p>	<p>No</p>	<p>No</p>	<p>Limited</p>	<p>Yes</p>

GBT1 – Green Belt Boundaries	There will be an area of Green Belt in Wirral. Its boundaries are as shown on the Proposals Map.	140	No	No	No	Full	NA
Landscape							
LAN7 – Criteria for Development at the Urban Fringe	<p>When considering new development at the edge of the urban area or in other locations which would be clearly visible from the open countryside, the local planning authority will pay special regard to the visual impact of the proposals and will require that:</p> <ul style="list-style-type: none"> <li>(i) New buildings are sited, designed and landscaped, in order to minimise visual intrusion;</li> <li>(ii) proposals for boundary treatment are appropriate, in terms of the character of the surrounding landscape; and</li> </ul>	174-175	Yes - the policy is inconsistent with the hierarchy in NPPF para. 174, which only requires the impact of development on the intrinsic character and beauty of the countryside to be recognised.	No	No	Moderate	Yes

	(iii) prominent features within the landscape framework of the area are retained and enhanced.						
GR5 – Landscaping and New Development	<p>In order to secure the protection and enhancement of visual amenity the LPA will require applicants to submit full landscaping proposals before full planning permission is granted. Proposals should:</p> <ul style="list-style-type: none"> <li>(i) Include a clear specification of landscaping proposals...</li> <li>(ii) Be appropriate in terms of the nature and location of the development proposed... the visual prominence... the visual impact... the character of the surrounding area...</li> </ul>	130(e), 131	No	No	No	Full	Partially, although this policy is not entirely applicable at this outline stage

	<p>(iii) Provide for new planting and for the protection, replacement or enhancement of existing features...</p> <p>(iv) Take full account of the effect of proposals on visibility at access points...</p>						
GR6 – Greenspace Within New Family Housing Development	<p>Proposals for new family homes development, defined as houses with two or more bedrooms, will be required to provide greenspace at an overall level of 60sqm for every new dwelling constructed...</p> <p>The policy does not apply to proposals:</p> <p>(a) Comprising 35 dwellings or less...</p> <p>(b) Where the dwellings constructed would fall within 400m of an existing accessible public open space of 1.5ha or above.</p>	130e, 131	No	No	No	Full	Yes

GR7 – Trees and New Development	<p>In assessing the protection to be given to trees on development sites the LPA will consider the general health, structure, size and life expectancy of trees, their visual value within the locality and their value for nature conservation and will require that buildings structures and hard surface areas are sited in order to:</p> <ul style="list-style-type: none"> <li>(i) Preserve wooded character...</li> <li>(ii) Protect high value trees...</li> <li>(iii) Ensure retained trees are not compromised... etc.</li> </ul>	131, 180	Yes – does not reflect the avoid, mitigate compensate hierarchy in para. 180 of the NPPF.	No	No	Moderate	Yes
Heritage							
CHO1 – The Protection of Heritage	<p>In considering all development proposals the LPA will pay particular attention to the protection of:</p> <ul style="list-style-type: none"> <li>(i) Buildings, structures and other features of recognised</li> </ul>	203	Yes – para. 203 of the NPPF requires a “balanced judgment” having regard to the scale of harm and the significance of	No	No	Moderate	Yes

	<p>architectural or historical importance</p> <p>(ii) Historic areas of distinctive quality and character</p> <p>(iii) Important archaeological sites and monuments.</p> <p>Proposals which would significantly prejudice these objectives will not be permitted.</p>		the non-designated heritage asset.				
Agricultural Land							
AG1 – Development and Agriculture	<p>In assessing the siting, design and layout of proposals for new development near existing agricultural land holdings, the LPA will need to be satisfied that appropriate measures have been taken in order to:</p> <p>(i) Protect operational needs...</p>	84, 85, 187.	Yes – para. 187 only seeks to avoid “unreasonable restrictions” being placed on existing businesses.	No	No	Moderate	Yes

	<p>(ii) Minimise direct or indirect disturbance...</p> <p>(iii) Take the main focus for public recreation away from areas used for agricultural production.</p>						
Ecology							
NC5 – The Protection of Sites of Local Importance for Nature Conservation	<p>Outside areas protected under Policy NC1 and NC3, the LPA will protect habitats of special local importance for nature conservation where they represent scarce, rare or threatened habitat, good examples of habitats typical to Wirral, diverse or rich habitats which actively support a wide range of important species, or areas known to divide for the shelter, breeding or foraging of legally protected species.</p> <p>...Particular consideration:</p> <p>(i) The nature, layout and density of</p>	174-175, 179-182.	No	No	No	Full	Yes

	<p>development proposed;</p> <p>(ii) The impact on the long-term ecological viability of the habitat affected;</p> <p>(iii) The appropriateness of measures taken to minimise damage to the habitat and disturbance to wildlife; and</p> <p>(iv) The appropriateness of provision for the future maintenance of the site.</p> <p>Development...will only be permitted where... the continued ecological viability of the habitat or wildlife interest of the site can be adequately safeguarded by means of appropriate conditions and / or legal agreements...</p>						
--	---	--	--	--	--	--	--

NC6 – Sites of Biological Importance	<p>The following sites are areas of special local importance for nature conservation. Their boundaries are shown on the Proposals Map. Proposals which have potential to damage or disturb the habitat or wildlife interest of these sites will be dealt in accordance with Policy NC5:</p> <p>A total of 70 sites are then listed, including sites near to Irby, Heswall, Barnston, Raby Mere, and Greasby.</p>	174-175, 179-182.	No	No	No	Full	Yes
NC7 – Species Protection	<p>Development which would have an adverse effect on wildlife species protected by law will not be permitted unless the Local Planning Authority is satisfied that the protection of the species can be secured through the use of planning conditions and/ or planning obligations.</p>	174-175, 179-182.	No	No	No	Full	Yes
Recreation							
REC1 – Principles for Sport and Recreation	<p>New facilities for sport and recreation will be directed towards the exiting urban area and to locations where</p>	98-99, 143, 145, 150e.	No	No	No	Full	Partially

	they are easily accessible by public transport. Outside the urban areas provision will be restricted to facilities for outdoor sport and outdoor recreation which preserve the openness of the Green Belt and to facilities which can be accommodated within an existing building.						
RE11 – Criteria for Children’s Play Facilities	The LPA will need to be satisfied that areas specifically intended to cater for children’s play are appropriate in terms of their siting, scale and design. Proposals should in particular minimise the potential for disturbance to adjacent property, enable informal supervision from the surrounding area and provide for safe pedestrian access...	98	No	No	No	Full	Yes
RE13 – Criteria for Sports Facilities in the Green Belt	Proposals for outdoor sport and outdoor recreation will be permitted in the Green Belt where: (i) Access and parking is provided	143, 145, 150e.	No (provided criterion (ii) is read consistently with para. 111 of the NPPF)	No	No	Full	Yes

	<p>(ii) Traffic is acceptable</p> <p>(iii) Visual impact is acceptable and openness preserved</p> <p>(iv) The proposal would not cause unacceptable noise.</p>						
TLR1 – Principles for Tourism Development	<p>Proposals for tourist attractions and visitor facilities should be directed towards urban areas outside the primary residential areas...</p> <p>Tourist attractions and visitor facilities outside the urban areas will be restricted to facilities which can be accommodated within an existing building and to uses of open land which preserve the openness of the Green Belt.</p>	84c, 147-149.	No	No	No	Full	No
TL9 – The Protection of Rural Tourist Attractions and Resources	The following features form part of the Borough's special attractiveness for tourism, based upon the quiet enjoyment of the Wirral coast, landscape and open	9, 86a, 112, 124d, 125, 130, 138d, 174c.	No – provided criteria read consistently with other provisions in the NPPF, inc.	No	No	Full	Yes

	<p>countryside. Proposals which would prejudice the continued attractiveness of these features for tourists and visitors or which would cause demonstrable harm to the special character of the resources and attractions outlined below will not be permitted:</p> <ul style="list-style-type: none"> <li>(i) Historic, rural villages including Barnston, Brimstage, Frankby, Landican, Raby, Storeton, Thurstaston, and Thornton Hough;</li> <li>(ii) Areas of Special Landscape Value;</li> <li>(iii) Areas of underdeveloped coastline and coastal habitat with coastal walks, views and scenery in north and west Wirral; and</li> <li>(iv) The network of rural rights of way linking rural</li> </ul>		<p>para. 174 and 202 of the NPPF.</p>				
--	---	--	---------------------------------------	--	--	--	--

	villages and attractions such as country parks and areas of importance for landscape and nature conservation.						
TL10 – Criteria for Tourism Development in the Green Belt	<p>Proposals for tourist attractions and visitor facilities within the Green Belt will be permitted subject to the Policy TL9, and where:</p> <ul style="list-style-type: none"> <li>(i) Nature and scale are appropriate</li> <li>(ii) Visual impact is acceptable</li> <li>(iii) Highways access is provided</li> <li>(iv) Traffic accommodated without unacceptable disturbance</li> <li>(v) No unacceptable disturbance to neighbouring properties</li> <li>(vi) Utilising existing buildings or</li> </ul>	84c, 147-149.	No, provided read together with, and consistently with paras. 147-149 and the criteria are read consistently with other provisions in the NPPF.	No	No	Moderate	Yes

	preserving openness						
TL14 – Protecting and Extending Public Rights of Way	<p>The LPA will have special regard to protecting the character of rural rights of way and will seek to enhance and extend the network of public rights of way where new routes are required in order to:</p> <ul style="list-style-type: none"> <li>(i) Redirect visitor pressure away from agriculture and nature conservation;</li> <li>(ii) Retain or improve access to features of importance such as historic settlements, countryside recreation facilities, or scenic viewpoints; or</li> <li>(iii) Provide missing links in the existing network of public rights of way</li> </ul>	100	No	No	No	Full	Yes

Flooding and groundwater							
WAT1 – Fluvial and Tidal Flooding	Planning permission will only be granted for new development which would not be at risk from fluvial or tidal flooding, or which would not increase these risks to other developments.	164	Yes – the NPPF permits development in areas at risk of flooding subject to meeting the exception tests set out in para. 164 of the NPPF.	No	No	Limited	Yes
WA2 – Development and Land Drainage	(i) Where proposed developments are on land of such a size or nature relative to receiving watercourses that there could be a significant increase in surface water run-off from the area, or are situated in an area where the Environment Agency has indicated that there may be drainage problems, consultation with the Environment Agency or the local Land Drainage Authority will be required and conditions may be imposed requiring storage within the surface water system.	167, 169	Yes	No	No	Full	Yes

	(ii) In assessing development proposals, the Local Planning Authority will seek to maintain and enhance the natural character of wetlands, groundwaters, ponds, rivers and their margins. In particular, the culverting of watercourses will be discouraged, in order to preserve the natural storage provided and to avoid future maintenance difficulties.						
WA3 – Development and Groundwater Protection	In considering proposals for development, the LPA will have regard to the need to protect sources of groundwater. The LPA may require consultation with the Environment Agency and may impose conditions and obligations directed at preventing derogation in terms of both quality and quantity.	174(e)	No	No	No	Full	Yes
WA4 – Safeguarding Water Resources	In considering proposals for development, the Local Planning Authority will look to safeguard water resources and water supply to water	8	Partially – NPPF does not specifically comment on the	No	No	Moderate	Yes

	users, unless it can be demonstrated that there are adequate water resources which already exist or will be provided in time to serve the development.		safeguarding of water resources and water supply.				
WA5 – Protecting Surface Waters	<p>The Local Planning Authority will only permit development which:</p> <p>(i) includes satisfactory arrangements for the disposal of foul sewage, trade effluent or contaminated surface water;</p> <p>(ii) does not exacerbate existing problems such as premature or increased frequency of discharges through storm sewer overflows due to inadequate infrastructure or lack of sewer capacity; and</p> <p>(iii) will not lead to spillage or leakage of stored oils or chemicals or other potentially polluting substances.</p>	130, 167	Partially – NPPF does not make specific mention of wastewater or foul drainage outside of strategic policy making.	No	No	Moderate	Yes

Transport							
TRT1 – Provision for Public Transport	<p>In considering development proposals, the LPA will give emphasis to the following key considerations:</p> <ul style="list-style-type: none"> <li>(i) The need to make best use of existing transport facilities;</li> <li>(ii) That, where appropriate, adequate physical provision is made for public transport services and facilities within new developments; and</li> <li>(iii) That the development would not prejudice any proposals for development of public transport services or facilities.</li> </ul>	20b, 104c, 110, 112	No	No	No	Significant	Yes

<p>TRT3 – Transport and the Environment</p>	<p>In assessing the environmental impact of transport infrastructure and proposals, the LPA will pay particular attention to the following:</p> <ul style="list-style-type: none"> <li>(i) Main transport corridors;</li> <li>(ii) The design of new highway schemes and highway improvement schemes;</li> <li>(iii) Reducing unnecessary traffic in environmentally sensitive or primarily residential areas;</li> <li>(iv) Parking and servicing arrangements;</li> <li>(v) Minimising vehicular – pedestrian conflict;</li> <li>(vi) Meeting the needs of cyclists;</li> <li>(vii) Securing access for disabled people;</li> </ul>	<p>110, 111, 112</p>	<p>Yes – not all of the criteria reflect para. 104(d) of the NPPF which requires the environmental impact of traffic to be “taken into account” and para. 111 which states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.</p>	<p>No</p>	<p>No</p>	<p>Limited</p>	<p>Yes</p>
---	---	----------------------	---	-----------	-----------	----------------	------------

	<p>(viii) Minimising noise, visual impact and air pollution; and</p> <p>(ix) Minimising the need to travel.</p>						
TR9 – Requirements for Off-Street Parking	<p>In assessing the off-street parking provision associated with new development proposals, the LPA will be guided by the following considerations:</p> <p>(i) The contribution of the proposal in supporting the general locational policies of the UDP;</p> <p>(ii) The impact on the competitive position of urban centres;</p> <p>(iii) The availability in the locality of alternative modes of transport;</p> <p>(iv) The operational minimum and maximum level of car parking requirement associated with</p>	107	No	No	No	Significant	Yes

	<p>(v) the proposed development; Road safety and traffic management issues in the locality of the proposals; and</p> <p>(vi) The likelihood of cars being parked on residential roads.</p>						
TR13 – Requirements for Disabled Access	The LPA will ensure that consideration be given to the need to provide full access for disabled people to new public highways, pedestrian priority areas and to all developments to which the public would normally expect to gain access.	112b	No	No	No	Full	Yes
Renewable energy							
REN1 – Principles for Renewable Energy	Renewable energy proposals will be assessed with regard to their siting and design, environmental impact, and impact on the amenity of neighbouring uses, subject to the other policies of the plan.	152, 155-158	No	No	No	Full	Yes

Waste							
WM9 – Sustainable Waste Management Design and Layout for New Development ( <i>from the Waste Local Plan</i> )	<p>The design and layout of new built developments and uses must, where relevant, provide measures as part of their design strategy to address the following:</p> <ol style="list-style-type: none"> <li>1. Facilitation of collection and storage of waste, including separated recyclable materials;</li> <li>2. Provide sufficient access to enable waste and recyclable materials to be easily collected and transported for treatment;</li> <li>3. Accommodation of home composting in dwellings with individual gardens;</li> <li>4. Facilitate small scale, low carbon combined heat and power in major new employment and residential schemes, where appropriate.</li> </ol>	8, 20, 152, 155	Partially – NPPF does not make specific mention of waste management outside of strategic policy making.	No	No	Significant	Yes

