

RETAILING AND TOWN CENTRES

The following network of centres will be used to guide the distribution of main town centre uses and other uses that are likely to attract a significant number of people for day-to-day activities, subject to Policies CS26 to CS29:

Policy CS25 - Hierarchy of Retail Centres

1. Sub-Regional Centre

Birkenhead Town Centre (including Grange Road West, Oxton Road, Europa Boulevard, Argyle Street, Market Street and Hamilton Street)

The Borough's main comparison-shopping destination and the primary focus for retail, office, leisure, service, arts, culture and tourist development, community facilities and other main town centre uses of Borough wide significance.

2. Town Centres

*Heswall
Moreton*

*Liscard
West Kirby*

The main focus for development and investment in shops, services and leisure and community facilities outside Birkenhead.

3. District Centres

*Bromborough Village
Woodchurch Road*

*Hoylake
Prenton*

The focus for district level shops, services and community facilities at a level above local centres.

4. Local Centres

*Borough Road (Prenton Park)
Dacre Hill
Greasby (Arrowe Road/Mill Lane)
Laird Street
New Ferry
Seacombe (Poulton Road)
Tranmere Urban Village
New Brighton (Victoria Road)*

*Claughton Village
Eastham (Mill Park Drive/New Chester Road)
Irby Village
Lower Bebington
Oxton Village
New Brighton (Seabank Road)
Upton Village
Wallasey Village*

The focus for neighbourhood level shops, services and community facilities to serve everyday needs. The boundary to each of these centres, including sites for new development, primary and secondary shopping frontages and primarily commercial areas, are defined on the Local Plan Proposals Map.

Wirral has an extensive network of centres providing a wide range of shops and services. Policy CS25 sets out the hierarchy of centres that will be used to support community regeneration and provide a sustainable distribution of shops and services. Main town centre uses are defined in national policy. Other uses that is likely to attract a significant number of people for day-to-day activities would include health and medical services, auctions, showrooms and community facilities, including places of worship.

Birkenhead forms part of the second tier of sub-regional centres across the City Region, including Southport and St Helens, which sit below and complement Liverpool City Centre as the Regional Centre. The Council will direct growth to Birkenhead to create a vibrant and locally distinctive centre that maximises local expenditure and attracts investment into the Borough. Detailed priorities for Birkenhead Town Centre as part of the wider Commercial Core are set out in Policy CS5.

Three levels of centre have been defined below Birkenhead, based on evidence of surveys, floorspace and spending patterns provided in the Town Centres, Retail and Commercial Leisure Study. Further proposals for more local improvements are identified in the Town, District and Local Centres Study and Delivery Framework and will be included in a series of more detailed Town Centre Action Plans.

The main objective for the *Town Centres* is to provide for ongoing improvement to the environment and support investment to achieve a mix of uses, with retail as the principal use, to ensure the centres continue to meet the needs of the communities within the catchments that they serve.

The main objective for the *District Centres* is to provide for ongoing improvement to the environment and support investment to achieve a mix of uses, with retail as the principal use, to ensure the centres will continue to meet the needs of the local communities within the catchments that they serve and to support diversification and specialisation where this can be shown to contribute to the overall vitality of the centre. Development proposals should respond to the needs of the catchment and recognise the need to support the vitality and viability of the town and local centres.

The main objective for the *Local Centres* is to provide for ongoing improvement to the environment, maintain and improve the range of local shopping and service provision where viable and an important service to the local community. New small-scale retail facilities will be encouraged where they would provide for local everyday needs and promote vitality during the daytime and would not be harmful to the vitality and viability of nearby centres.

The recent Town, District and Local Centres Study and Delivery Framework shows there is up to 4.2 hectares of development land within these centres, plus a further 27,490 square metres gross in vacant units in centres outside Birkenhead.

The boundaries for each centre are shown on the Local Plan Proposals Map to provide a strong focus for investment. Where relevant, the location of potential development sites, the primary and secondary retail frontages and primarily commercial areas are also defined to show the function of the centre, and areas where a proportion of shops (Use Class A1) will be promoted and safeguarded in support of the maintaining and enhancing the function of the centre.

Wirral also has a number of smaller neighbourhood centres and parades which sit outside the formal network identified in Policy CS25, which consist of small clusters of shops which serve their catchment area for local convenience retailing. It is important to protect their role and where necessary, secure environmental improvements, but a significant increase in retail floorspace will not normally be appropriate, as the Town and District centres will be the priority for new retail floor space outside Birkenhead.

Existing out-of-centre retail parks are not regarded as “centres” for the purposes of Policy CS25 and proposals for their expansion or redevelopment, including extensions and proposals to vary or remove conditions in respect of the range of goods sold, will be subject to the requirements of Policy CS29.

Policy CS26 - Criteria for Development within Existing Centres & Parades

Development for within Use Classes A1, A2, A3, A4, A5, B1, C1, D1, D2 and other main town centre uses, including new build, extensions, alterations and changes of use, will be permitted within the centres listed in Policy CS25 and within smaller local shopping areas and parades provided :

1. it promote competitiveness, customer choice and a diverse retail offer that reflects the individuality of the centre;
2. it is are consistent with the local priorities identified in Policies CS4 to CS11;
3. maintain an appropriate street-level of shops (Use Class A1) in primary and secondary retail frontages;
4. the design would include ground floor window displays and avoid dead frontage to enhance appearance of the street scene;
5. it would not cause a nuisance, hazard or obstruction in the surrounding area; and
6. meet the requirements of Policy CS1A including Policy CS1B.

Uses that will sell food or drink, including sweets, for consumption off the premises will additionally be required to include measures for litter control and street cleansing, including the provision and installation of at least one public litter bin, in accordance with Policy CS44.

Food and drink (Use Classes A3, A4 and A5) proposals must also comply with Policy CS27.

Proposals for non-main town centre uses at ground floor within retail or commercial frontages, will not be permitted unless: robust and verifiable evidence clearly demonstrates that there is no reasonable prospect of the site being used for the range of purposes permitted in this policy; the function of the centre and neighbouring uses would not be adversely affected; and the proposal complies with the requirements of Policies CS1A and CS1B.

In all centres, residential development including conversions will only be permitted at appropriate sites on upper floors within retail and commercial frontages; on back-land sites with no street level retail and commercial frontages and within any area that has been formally identified for planned contraction through a future review, provided that the operations of existing and future businesses and community facilities are not adversely affected; and an high quality of amenity and design can be secured in accordance with Policies CS1A and CS21.

Policy CS26 aims to ensure that a suitable mix of uses, including independent shops and services help to maintain and enhance a network of vital and viable centres for the Borough in line with national policy and consistent with the Broad Spatial Strategy set out in Policy CS2, and priorities in Policies CH4 to CH11. Key local shops and facilities such as banks, bakers, butchers, grocers, greengrocers, specialist food shops, dispensing chemists and primary care facilities, launderettes, newsagents and post offices often meet essential day-to-day needs for local communities, particularly in local and district centres and smaller shopping area outside the hierarchy in Policy CS25. Their loss may compromise the retail function and character of a centre and limit residents' accessibility to local shops.

Policy CS26 also makes provision for residential uses on suitable sites subject to consideration of the amenity of future residents and the operation of neighbouring uses.

Policy CS27 - Food and Drink and Night Time Uses in Existing Centres

Proposals for food and drink outlets and uses related to the night-time economy will be permitted within the centres listed in Policy CS25, where there are no unresolved amenity, traffic or safety issues relating to existing similar uses within the surrounding area and it can be demonstrated that the proposal will:

1. contribute positively to local environmental quality, including the experience for visitors and users of the area;
2. have a frontage at least 40 metres from the main elevation of a dwelling house and a residential institution, when measured along the public highway.
3. not have an adverse effect on the character and function of the centre or on residential amenity through an over-concentration and/or clustering of food and drink uses, having regard to:
 - the existing number of food and drink uses in the area;
 - their proximity to each other;
 - the nature of other surrounding uses;
 - the function of the centre or parade;
 - the number of shops and other uses remaining to serve the community;
 - vacancy rates;
 - the condition of the unit; and
 - any wider social, health and/or economic impacts.
3. include appropriate measures to mitigate the impact of odours, noise and litter to safeguard local amenity;
4. contribute positively to the visual appearance of the area during opening and non-opening hours;
5. not have an adverse impact on the free flow of traffic or on highway and pedestrian safety; and
6. incorporate appropriate measures for preventing crime and disorder.

Proposals involving over the counter sales of hot food for consumption off the premises will only be permitted where it can be demonstrated that:

- i) it would result in no more than 10% of units within the centre being in use as a hot food take-away;
- ii) there would no adjoining hot food take-away in any frontage of up to 10 units; and
- iii) it would not result in other uses having a hot food take-away on both sides.

Outside designated centres and subject to the above criteria and compliance with Policy CS29, proposals that can result in the sale of hot food over the counter for consumption off the premises will only be approved where it can be demonstrated the premises will not be open to the public within 1 hour of the starting and closing times of a school, a venue for youth organisations or a children's play facility that are located within 400 metres of the site.

Policy CS27 applies to uses, such as hot food take-aways, restaurants, cafes, pubs, wine bars and other drinking establishments and nightclubs, to ensure that uses associated with the evening and night time economy uses will contribute positively to the vitality and viability of Wirral's existing centres and support a safe, balanced and socially-inclusive evening economy, whilst avoiding

dead frontage during the day. While these uses are an important source of economic activity, they need to be balanced against the other functions within the designated centres and the need to support continued activity during the day.

Policy CS27 therefore makes provision to prevent an over concentration of hot food take-away outlets in retail frontages to protect the character and function of established shopping areas, whilst including protection for the amenity of neighbouring uses. The Council will also seek to ensure that any potential harm to the area from the proposal can be controlled, for example, through limiting operating hours, requiring that shutters are not left down during the day time operating hours of other retailers in the area and ensuring that any measures to mitigate odours and internally-generated noise are fully installed before the business commences trading.

The Council has also produced local evidence which demonstrates that obesity rates are higher than the national average and are a cause for concern particularly in relation to children's health and the ongoing wellbeing into adult life. While this in itself cannot be solely attributed to hot food take-aways, the evidence base produced by the local Public Health Department and Health & Wellbeing Board supports the introduction of a 400m zone where the sale of a hot food to take-away should be restricted around schools, venues for youth organisations and play facilities as part of the Council's wider strategy to reduce obesity rates and achieve sustainable development in support of the community's health and wellbeing.

Additional guidance will be set out in a Supplementary Planning Document for town centre uses following the adoption of the Proposed Local Plan.

Policy CS28 - Town and Local Centre Impact Assessments

Applications for new retail, and leisure development, including new buildings, alterations, extensions and changes of use or to vary or remove conditions in respect of the range of goods sold or service provided, in edge or out-of-centre locations will be required to submit an impact assessment that demonstrates there would be no significant adverse impact on the vitality, viability and investment any designated centre taking account of trade draw where the following floorspace thresholds are exceeded:

Catchment area includes the Sub-Regional Centre

Birkenhead: xxx square metres (gross)

Catchment area includes a Town Centre

Liscard: xxxx square metres (gross)

Heswall, Moreton and West Kirby: xxx square metres (gross)

Catchment area includes a District Centre

Bromborough Village and Woodchurch Road (Prenton): xxxx square metres (gross)

Hoylake: xxxx square metres (gross)

Catchment area includes a Local Centre

All Local Centres: xxxxx square metres (gross)

The floorspace thresholds identified in the adopted Local Plan of an adjoining authority will be applied to proposals likely to fall within the catchment of a centre in an adjoining authority.

The Wirral Retail Study 20xx concludes that there is xxx quantitative requirement for additional convenience floorspace in the Borough over the period to 203xxx and that capacity for additional comparison floorspace is limited (xxxx square metres (net) at 203xxx). Therefore, developments below the default national policy threshold of 2,500 square metres gross floorspace are likely to have a xxxxx impact on existing centres within the Borough.

Policy CS28 sets out the local thresholds for gross floorspace which will trigger the requirement for an impact assessment to be submitted as part of a planning application.

Applicants will be required to demonstrate that there would no significant adverse impact over 5 to 10 years upon investment and the vitality and viability in any affected centre. The content of the assessment will need to be related the size of the proposed scheme and consider on effects on trade draw from the affected area, in which case applicant's will be expected to provide scoping information after taking account of the Council's retail and leisure evidence base, for consideration through the Council's pre-application service to ensure the appropriate catchment area and factors to address in the impact test are identified.

If the catchment area of a proposed development extends across a number of centres, the lowest threshold will trigger the need for an impact assessment to be undertaken. Further guidance will be provided in a Supplementary Planning Document for Town Centre Uses.

The requirement to complete an impact assessment will also apply to centres in an adjoining Local Planning Authority.

Policy CS29 - Criteria for Edge-of-Centre and Out-of-Centre Facilities

Applications for Use Classes A1, A2, A3, A4, A5, B1, C1, D1, D2 and other main town centre uses outside the centres listed in Policy CS25, including changes of use, extensions to existing floorspace and proposals to vary or remove conditions in respect of the range of goods sold and Use Class restrictions, will only be permitted where it can be demonstrated that:

1. no alternative, suitable sites are available, first within, and then at the edge of a centre listed in Policy CS25; and
2. the site is easily accessible by a choice of means of transport and preference has been given to sites which are or will be well-connected to a town, district or local centre; and
3. an impact assessment submitted in accordance with Policy CS28 demonstrates that the new floorspace or variation of condition would not have a significant adverse effect on the vitality and viability of a centre listed in Policy CS25 or designated in the adopted Local Plan of an adjacent authority or on any existing, committed or planned public or private investment within them; and
4. the proposal meets the requirements of Policy CS1A, Policy CS1B and CS27 where relevant.

Edge-of-centre proposals must demonstrate how the proposal will be connected to the centre, encourage linked trips and enhance the vitality and viability of the centre.

Where proposals meet the above criteria, appropriate planning conditions will be used if necessary to control the type, mix and quantum of gross and net retail floorspace; the range of goods sold; size of units; and number of operators per building; to protect existing centres

The Council's priorities are to promote sustainable shopping patterns, focus the provision of shops and other facilities within existing centres to protect and enhance their vitality and viability, including local consumer choice and trade; promote social inclusion and minimise transport emissions.

The Wirral Town Centres Retail and Commercial Leisure Study indicates that if all existing commitments are implemented, there would be no capacity for additional convenience floorspace in the Borough before 20xx and that capacity for comparison floorspace would only emerge in the medium term as expenditure growth increased. The latest update confirms that any capacity for additional comparison floorspace is only likely to emerge further towards the end of the plan period.

The Council's preference in line with national policy is for new floorspace to first be directed to existing centres in line with the hierarchy of retail centres identified under Policy CS25 and only then to edge-of-centre or out-of-centre locations, subject to proposals satisfying the sequential test and not having a significant adverse impact on existing centres.

For retail purposes, edge-of-centre will be taken to mean within 300 metres walking distance of the edge of the primary shopping area within a centre listed in Policy CS25, without intervening obstacles such as major roads, railway lines and other potential barriers to pedestrian movement. Out-of-centre will be taken to mean any site further than 300 metres walking distance of edge of the primary shopping area within a centre listed in Policy CS25.

Minerals

Mineral resources are defined as natural concentrations of minerals or, in the case of aggregates, bodies of rock that are, or may become, of potential economic interest due to their inherent properties. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

The National Planning Policy Framework advises that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs.

Minerals extraction may only take place if the operator has obtained both planning permission and any other permits and approvals. These include permits from bodies such as the Environment Agency, and licenses from Natural England and, in relation to hydrocarbons, the Oil and Gas Authority.

Planning for the supply of minerals has a number of special characteristics that are not present in other development:

- minerals can only be worked (i.e. extracted) where they naturally occur, so location options for the economically viable and environmentally acceptable extraction of minerals may be limited.
- mineral working is a temporary use of land, although it often takes place over a long period of time;
- working may have adverse and positive environmental effects, but some adverse effects can be effectively mitigated;
- following working, land should be restored to make it suitable for beneficial after-use.

Wirral Council is a Mineral Planning Authority (MPA) and as such the Local Plan has to include policies to reflect the presence of viable mineral resources within the Borough and any potential future mineral development.

The Wirral Minerals Report 2019 confirmed, following consultation with the mineral industry, that Wirral has no existing/workable resources for land-won crushed rock, sand and gravel or industrial minerals.

The term 'minerals development' refers to primary, secondary or recycled aggregate minerals, industrial minerals and energy minerals including hydrocarbons such as oil and gas.

Policy xxx: Proposals for Minerals Development

Planning permission will only be granted for minerals development where:

- a. There is a clear need for the development and the proposal can mitigate and adapt to climate change and will not result in any unacceptable impact on the natural, geological or historic environment, water resources, amenity and/or on human health and safety; and
- b. If the development involves extraction, the extraction is necessary; and no other viable source is available; and
- c. The proposal will not undermine the use of alternative, secondary or recycled materials; and
- d. The proposal will not be detrimental to local residents and businesses or to the character of the area as a result of noise, smell, dust, vibration, land stability, contamination or other nuisance or visual impact; and
- e. The proposal contains a satisfactory scheme of working which incorporates provision for site security and the containment, storage and management of materials and waste within the boundaries of the site; and
- f. If applicable, there is clear provision for the restoration, aftercare and use of the land at the earliest opportunity, to high quality environmental standards which would be compatible with the character and setting and landscape character of the surrounding area; and
- g. The development will not lead to the permanent loss or reduction in quality of best and most versatile agricultural land; and
- h. Ecological/nature conservation interests will not be harmed; and
- i. The proposal would not contravene any other policies xxxxx of the Local Plan.

Minerals, equipment and materials should be transferred by the most sustainable form of transport, such as by rail and/or water that would have the least impact on local communities and the environment.

Transportation by road would only be supported if there is no feasible alternative and the highway network and access arrangements can safely accommodate traffic to be generated without unacceptable impact on the environment and/or the living conditions of local communities along the routes to be used.

Minerals are an important economic asset, but the working, storage, processing and distribution of minerals can have harmful effects on the environment and local amenity. In line with national policy, applicants will need to demonstrate that mineral sites can be sensitively designed and operated in a way to ensure there are no unacceptable adverse impacts on the environment or human health. The worked land should be reclaimed at the earliest opportunity, taking account of safety, in accordance with an aftercare scheme and a budget that makes provision for high quality restoration, aftercare and after-use consistent with the landscape character of the surrounding area in line with Policy xxxx.

Proposals will also need to make use rail and water transportation for the movement of minerals and materials for operational reasons wherever feasible. Applicants will be expected to demonstrate the effects of traffic on the environment, the character of the area and amenity can satisfactorily minimised.

Policy is applicable to all minerals development, including primary, secondary or recycled aggregate minerals, industrial minerals and energy minerals including hydrocarbons such as oil and gas. Proposals involving development for hydrocarbon will also be assessed for compliance with Policy xxx.

xxx: Maintaining Supply of Aggregates

In determining proposals for the extraction of aggregate minerals, regard will be given to the following:

- a. The contribution the proposal would make toward maintaining the sub-regional apportionment of the regional production of aggregates, as expressed in the NPPF; and
- b. The need to maintain a landbank of reserves with permissions within the sub-regional area, in accordance with the latest Local Aggregates Assessment recommendations.

There are small deposits of sand and gravel within Wirral, but all lie beneath best and most versatile agricultural land, and/or built up areas. Commercial use of sands extracted from the Mersey Estuary is limited by contamination from industrial pollution, and sand within the Dee Estuary and North Wirral foreshore are located within international nature conservation areas. Wirral currently has no workable sand and gravel reserves and no crushed rock reserves at all. Industry consultation, as part of the Wirral Minerals Report 2019, indicate that this situation is unlikely to change in the foreseeable future. Consequently, Wirral is not able to include a policy within the Local Plan, which commits the Borough to contributing to the sub-regional aggregates supply.

However, Wirral Council participates actively in the North West Aggregates Working Party (NNAWP) and subscribes to the national Managed Aggregate Supply System through market monitoring and co-production of an annual Local Aggregates Assessment (LAA). The LAA is produced jointly with other authorities to reflect an aggregates sub-region which includes Merseyside, Warrington and Greater Manchester. Matters related to minerals reserves and land banks are therefore monitored and reported annually at this sub-regional level through the LAA. This is the principal component of the evidence base to inform Wirral's future role in facilitating the appropriate supply of aggregate minerals. Accordingly, Wirral will maintain its commitment to the Managed Aggregate Supply System through continued representation in the North West Aggregates Working Party.

Policy 3: Safeguarding Mineral Reserves and Infrastructure

The mineral reserve for clay extraction in North Wirral is safeguarded as shown on the Local Plan Policy Map. Non-minerals development will only be permitted within the safeguarded area where it can be demonstrated that the mineral cannot be extracted prior to development or is no longer of any economic value or potential use subject to compliance with Policy xxx and Green Belt controls.

Facilities for landing marine-won sand and gravel will be safeguarded within the boundaries as defined on the Local Plan Policy Map. Non-minerals development will only be permitted within the safeguarded area if:

- a. an alternative site within an acceptable distance can be provided, which is at least as appropriate for the use as the safeguarded site; and
- b. it can be demonstrated that the infrastructure no longer meets the current or anticipated future needs of the minerals and/or construction industry.

The remaining workable site for clay extraction, which has consent to operate until 2042, is now used only intermittently and land for potential expansion is already owned by the operator. The site is identified as a Safeguarded Mineral Reserve on Local Plan Policy Map. As such it is important to safeguard any future working from inappropriate built development. Applications for non-mineral development in the MSA, which is likely to comprise any built development given the size of the MSA, will be required to include a Minerals Assessment setting out how it complies with the policy. The Mineral Assessment should be proportionate to the situation and should have regard to the British Geological Survey report 'Mineral Safeguarding in England: good practice advice, 2011' or any subsequent updates. The Council will provide an Information Note for developers to provide guidance on mineral safeguarding and mineral assessments.

Marine-won sand and gravel from Liverpool Bay has previously been landed at port facilities at Birkenhead and Eastham and at a purpose-built facility on the Bromborough coast. Annual landings have been as high as 124,000 tonnes. However, there has been no marine landing of aggregates in Wirral since 2014 and following consultation with Industry and the Port Authority, this situation is unlikely to change in the foreseeable future.

Policy xxx provides for these facilities to be safeguarded in the interests of facilitating the continuing supply of minerals. However, as the Port Authority benefits from permitted development rights for many types of development, safeguarding of minerals infrastructure would not be enforceable in the Port's operational area. If areas within the Port recently used for minerals purposes are no longer available for port-related reasons, the Council will work with the Port Authority to seek a suitable alternative facility within the Port Estate, which could be safeguarded for future use, if required.

Policy xxx: Oil and Gas Development

Proposals for oil and gas development will only be permitted where it is clearly demonstrated that the safety of the process and the risk of adverse impacts have been fully addressed and subject to the following criteria:

1. Exploration and appraisal

Proposals for the exploration and appraisal of hydrocarbons within areas benefiting from a Petroleum Development Licence (PEDL), will only be supported where it has been demonstrated that well sites and associated facilities including any underground working and lateral boreholes are sited in the least sensitive location from which the target reservoir can be accessed.

Where proposals for exploration and appraisal are approved, there will be no presumption that production from those wells will be permitted.

2. Production

Proposals for the production of hydrocarbons will only be supported where it has been demonstrated that the further works and the surface facilities are justified as being required to manage the output from the well(s), including facilities for the utilisation of energy, where relevant, and that they are sited in the least sensitive location from which the target reservoir can be accessed. Proposals should also be supported by a full appraisal programme for the hydrocarbon resource.

3. Overall assessment

Proposals for the exploration, appraisal and production of hydrocarbons, approval will only be granted where it has been clearly demonstrated that there are no unacceptable adverse impacts on human health, general amenity, safety, traffic management, water and air quality, ecology, geology, the landscape, archaeology the natural and historic environment and:

- The extent of the reservoir, boreholes and period of time in which development and operations would take place are clearly identified;
- Measures will be in place to prevent adverse impacts from vibration and induced seismicity;
- Operational processes and gas flaring, and arrangements for waste disposal, including unwanted gas or oil, will not cause unacceptable impacts on the living conditions of local communities and the operations of existing businesses;
- Adequate provision is made for the supply of water and disposal of waste water without unacceptable adverse impacts on surface and groundwater flows, quantity and quality;
- Pollution and contamination of the land, ground water, aquifers, and potable water supplies will be prevented;
- Satisfactory arrangements will be in place to manage or dispose of any waste materials and returned water from the development;
- A full appraisal programme for the gas or oil resource has been completed to the satisfaction of the Mineral Planning Authority; and
- A management plan with a comprehensive economic assessment and monitoring arrangements will be in place for all operations and mitigation measures.
- The proposal would be compliant with Policies xxxxxx of the Local Plan.

All proposals must include restoration and aftercare measures for each of the stages of development, including the treatment of any boreholes in accordance with Policy xxxxx.

The exploratory, appraisal or production phase of hydrocarbon extraction can only take place in areas where a licence has been issued under the Petroleum Act 1998 (Petroleum Exploration and Development Licence, [PEDL]).

Licences and maps showing area boundaries are issued, published and updated by the Government. The maps can be viewed on the [Government's website](#). While an existing PEDL licence covers a large part of the Borough there has been no indication that production of land-based oil in Wirral would be possible or viable.

NPPF paragraph 209 (b) currently indicates that the minerals planning authorities should make a clear distinction between the three phases of development (exploration, appraisal and production). National Planning Practice Guidance for Minerals (paragraphs 012 & 013) also sets out the principle environmental issues from minerals extraction that should be addressed by the planning authority and the issues for other regulatory regimes to address.

Applications for energy mineral development require planning consent at each phase of onshore hydrocarbon development; and developers would be expected to approach the Council for pre-application discussions on the scope of information needed for each stage. Some exploration work or testing, such as initial seismic work, may not require consent from the planning authority.

Policy xxxx: Substitute, Secondary and Recycled Aggregates

The Council will encourage the use of substitute, secondary or recycled aggregates and mineral waste as alternative materials to primary land-won minerals, provided this is economically and environmentally acceptable.

In line with the NPPF, the Council will encourage the use of secondary and recycled aggregates in building projects.

The use of such materials, often perceived as “waste”, as an alternative to natural aggregates is, in many cases, technically feasible and economically sound. It is also fully in line with the achievement of sustainable development, as it conserves valuable aggregate resources and reduces the quantity of material requiring disposal.

For example, temporary facilities could be located on sites for major demolition or construction projects; whilst permanent recycling plants for construction and demolition waste may also be viable in appropriate locations. Developers are advised to refer to the Joint Waste Plan for Merseyside in this regard.

However, in implementing Policy xxx the Council will need to be satisfied that, in particular cases, such use of materials is economically justified, and that the implications of using recycled materials, including the recycling process itself, will not result in unacceptable impacts on the environment or local amenity.

Policy xxxx: Restoration

All proposals for mineral works will require the submission of a high quality restoration and aftercare plan for the reclamation of the affected land to secure appropriate after use that would be compatible with the character and setting and landscape character of the surrounding area at the earliest opportunity.

The plan should include:

- a. Details of the existing ground levels, top and sub-soil structure and hydrology and how it will be handled over the course of the proposed development;
- b. Details of the final restoration scheme including remediation, landscaping, ground levels, landform, and the proposed future land use;
- c. Details of the timescales for the removal of obsolete development and completion of the restoration scheme; and
- d. Details of aftercare arrangements that are to be put in place to ensure the maintenance and management of the site once restoration is complete.

The National Planning Policy Framework requires that planning policies ensure land is reclaimed at the earliest opportunity, taking account of aviation safety and that high-quality restoration and aftercare of mineral sites takes place. Therefore, in respect of proposals for mineral extraction the Council will request details of the restoration and aftercare of the site. The land should be restored at the earliest opportunity in accordance with an aftercare scheme and a budget that makes provision for high quality restoration, aftercare, after-use and a final landform consistent with landscape character of the surrounding area.

The level of detail required on restoration and aftercare will depend on the circumstances of each specific site including the expected duration of operations on the site. It must be sufficient to clearly demonstrate that the overall objectives of the scheme are practically achievable, and it would normally include:

- an overall restoration strategy, identifying the proposed management, aftercare and subsequent long term use of the site;
- information about soil resources and hydrology, and how the topsoil/subsoil/overburden/soil making materials are to be handled when operations and development take place;
- where the land is agricultural land, an assessment of the agricultural land classification grade; and
- a landscape strategy.