



## Strategic Applications Sub Committee

<b>Date:</b>	Thursday, 9 February 2023
<b>Time:</b>	6.00 p.m.
<b>Venue:</b>	Committee Room 1 - Wallasey Town Hall

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## AGENDA

1. **APOLOGIES**
2. **OUT/22/01821; LAND EAST OF RIGBY DRIVE, GREASBY, WIRRAL, RESIDENTIAL DEVELOPMENT FOR UP TO 240 DWELLINGS (USE CLASS C3), INCLUDING 30% AFFORDABLE HOUSING; A 'PARK AND STRIDE' CAR PARK; IMPROVED WALKING AND CYCLING LINKS; A COMMUNITY ORCHARD; A COMMUNITY PARK AND CHILDREN'S PLAY AREA; WILDLIFE HABITATS AND GREEN CORRIDORS; AND OFF-SITE HIGHWAY, ENVIRONMENTAL, BIODIVERSITY AND ACCESSIBILITY ENHANCEMENTS. (Pages 1 - 48)**



# Agenda Item 2

**Strategic Applications Sub Committee**

**9<sup>th</sup> February 2023**

<b>Reference:</b>	<b>Area Team:</b>	<b>Case Officer:</b>	<b>Ward:</b>
OUT/22/01821	DM	Mr J Bellis	Greasby, Frankby and Irby

<b>Location:</b>	Land East of Rigby Drive, Greasby, Wirral
<b>Proposal:</b>	Residential development for up to 240 dwellings (Use Class C3), including 30% affordable housing; a 'park and stride' car park; improved walking and cycling links; a community orchard; a community park and children's play area; wildlife habitats and green corridors; and off-site highway, environmental, biodiversity and accessibility enhancements.
<b>Applicant:</b>	Leverhulme Estates
<b>Agent :</b>	Mr S Handy, Strutt and Parker

<b>Qualifying Petition</b>	<p>2 petitions (1165 and 4924 signatures) have been received objecting to this application. These raised the following matters:</p> <ul style="list-style-type: none"><li>• Objecting/Against the Proposal</li><li>• Actions of the applicant</li><li>• Loss of Green Belt</li><li>• Detrimental Impact on Local Services and Infrastructure;</li><li>• Impact on Flood Risk</li><li>• Detrimental Impact on Amenity;</li><li>• Detrimental Impact on Local Character;</li><li>• Loss of Open Space;</li><li>• Loss of Agricultural Land and associated food provision impacts;</li><li>• Contrary to emerging Local Plan and NPPF;</li><li>• Release of Green Belt for Housing;</li><li>• Contrary to 4 of the 5 'Purposes of Green Belt';</li><li>• Inappropriate Development in Green Belt;</li><li>• Very Special Circumstances do not exist;</li><li>• Contrary to local and national policies on Climate Change;</li><li>• Misrepresentation of Housing Need; and,</li><li>• Impact on the Lever Legacy in Wirral.</li></ul>
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<b>Site Plan:</b>
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<b>Development Plan designation:</b>	Green Belt
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<b>Planning History:</b>	No relevant history.
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**Summary Of Representations and Consultations Received:**

<b>1. Ward Member Comments</b>	<p>Councillor Tom Anderson</p> <p>As ward councillor for Greasby, Frankby, Irby wishes to formally object to this outline planning application, on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The application conflicts with the Council's Regulation 19 Submission Draft Local Plan 'Spatial Strategy' which excludes any release or development of Green Belt land, therefore the application should be refused.</li> <li>2. The application conflicts with the National Planning Policy Framework not to release any Green Belt for development until brownfield and previously developed land opportunities are exhausted. Wirral has a demonstrable excess of suitable brownfield sites and therefore the application should be refused.</li> <li>3. New housing within Green Belt is deemed inappropriate development unless there are 'exceptional circumstances' or 'very special circumstances' that can be demonstrated. The applicant has not demonstrated either for this application and therefore the application should be refused.</li> <li>4. The application conflicts with 4 of the 5 'Purposes of Green Belt (to check urban sprawl; prevent merging communities; stop countryside encroachment; and assist urban regeneration) and with special reasons why Wirral's Green Belt boundaries remain tightly drawn around existing urban areas, therefore the application should be refused.</li> </ol>
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	<ol style="list-style-type: none"> <li>5. The application conflicts with the requirement to protect both the permanence of Green Belt boundaries once drawn and the 'Openness' of it, therefore the application should be refused.</li> <li>6. The application conflicts with both national and Wirral policies regarding mitigation of Climate Change. There is no way that the harm done to ecology, air quality, watercourses and countryside by developing farmland for new housing can be fully mitigated and therefore the application should be refused.</li> <li>7. The application conflicts with national and Wirral policies regarding the protection and improvement of 'Productive Farmland' in order to ensure future 'Food Security' and therefore the application should be refused.</li> </ol>
<p><b>2. Summary of Representations</b></p>	<p><b><u>REPRESENTATIONS</u></b></p> <p>At the time of writing, and in addition to the petitions referred to above, over 420 representations have been received from interested parties, and all are objections. To summarise, these raise the following key issues:</p> <ul style="list-style-type: none"> <li>• Principle of Development <ul style="list-style-type: none"> <li>○ Negative impact on the delivery of housing delivery on Previously Developed Land;</li> <li>○ Alternative locations in the Borough are more suitable for new housing developments;</li> <li>○ Delivery of housing on Previously Developed Land should be prioritised over the development of greenfield &amp; green belt land;</li> <li>○ Negative impact on Urban Regeneration schemes in the Wirral;</li> <li>○ Proposal could be accommodated elsewhere in Merseyside;</li> <li>○ No need for new housing in this location;</li> <li>○ Housing need can be delivered through previously developed land;</li> <li>○ Contrary to the emerging Local Plan;</li> <li>○ Contrary to the UDP;</li> <li>○ Contrary to the NPPF;</li> <li>○ Population growth doesn't show the need for new homes;</li> <li>○ Negative Impacts on Local Tourism in the Green Belt;</li> </ul> </li> <li>• Contrary to 'Green Belt ; <ul style="list-style-type: none"> <li>○ Green Belt land should be retained to encourage urban regeneration;</li> <li>○ Loss of Green Belt Land;</li> <li>○ Proposals seek to sidestep/undermine the Local Plan process;</li> <li>○ Contrary to the five purposes of Green Belt;</li> <li>○ Loss of Openness, Character and Permanence of the Green Belt;</li> <li>○ Precedent of incursion into Green Belt for Housing Development;</li> <li>○ Disagreement that Very Special Circumstances exist;</li> <li>○ Potential for merging of settlements through loss of Green Belt/Open Countryside;</li> </ul> </li> <li>• Protection of Agricultural Land <ul style="list-style-type: none"> <li>○ Loss of Agricultural Land/Loss of Food Production Land/Food Security Issues/Increase in Food miles;</li> <li>○ Loss of Farming Business;</li> </ul> </li> <li>• Landscape Impact <ul style="list-style-type: none"> <li>○ Loss of/Impact on local character;</li> <li>○ Loss of local distinctiveness of villages;</li> <li>○ Loss of Quiet/Tranquil Areas;</li> <li>○ Loss of uniqueness of the area;</li> </ul> </li> </ul>

- **Housing and Affordable Housing**
  - Shortage of Affordable Housing within the Borough;
  - Not sufficient affordable housing contribution within schemes;
  - Affordable housing within scheme out of reach of those in need for affordable housing products;
  - Properties proposed are too expensive to meet local community needs;
  - Lack of a range of tenures available within the schemes;
  - Proposals will increase social inequality;
  - Amount of homes for sale within borough shows no shortage of housing provision;
  - Inflationary impacts of new developments;
- **Residential Amenity**
  - Pollution from development e.g. light, noise, air etc.;
  - Construction impacts on the existing residents;
  - Negative impact on the amenity, health and well being of existing residents;
- **Highways and Transport**
  - Impact on local highway infrastructure/volume of traffic created by the proposal;
  - Impact on watercourses;
  - Highway access concerns;
  - Poor accessibility of the proposal to public transport networks;
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- **Ecology and Biodiversity**
  - Loss of Green & Wildlife Corridors;
  - Loss of Green Space;
  - Negative Impact on Wildlife and Biodiversity;
  - Negative Impact on Protected and Non-Protected Species;
  - Biodiversity loss is not replaced by adequate mitigation;
  - Impacts on designated ecological sites;
  - Existing issues with farmland biodiversity;
- **Archaeology and Heritage**
  - Impact on Conservation Area;
- **Drainage, Flood Risk and Water Matters**
  - Flood risk, drainage and sewage impact of the proposals;
  - Impact on Water Supply;
- **Climate Change**
  - Negative Impact on Climate Change;
  - Potential 'urban heat island' effect of new development;
- **Infrastructure/S106 Matters**
  - Negative impacts on the ability of infrastructure providers to provide services;
  - Negative impacts on physical infrastructure;
  - Negative Impacts on Community Infrastructure e.g. shops, services, health care, education;
  - Negative Impacts on Leisure Area/Recreational Space e.g. Public Rights of Way etc.;
- **Other Matters**
  - Loss of views;
  - Proposal is being sought for profit of shareholders, not local people;
  - Criticism of submission documents in terms of quality and the surveys submitted;
  - Issues submitting comments via the Council Website;

- Quantum of Comments submitted against proposals;
- Negative impact on the Lever Family Legacy in the Wirral.

In addition, a number of local interest groups have also commented.

The Wirral Society have objected to the proposal and the following summarises their objections:

- Contrary to UDP;
- Contrary to the emerging Local Plan;
- Loss of Green Belt Land;
- Inappropriate Development in Green Belt;
- Loss of Agricultural Land/Loss of Food Production Land/Food Security Issues;
- No need for new housing in this location;
- Disagreement that Very Special Circumstances exist;
- Very Special Circumstances posed may reduce over time;
- Contrary to 4 of the purposes of Green Belt; and
- Negative Impact on Community Infrastructure.

Wirral Wildlife Trust have objected to the proposal and the following summarises their objections:

- Loss of Green Belt Land;
- No need for new housing in this location;
- Loss of Agricultural Land/Loss of Food Production Land/Food Security Issues;
- Disagreement that Very Special Circumstances exist;
- Negative Impact on Wildlife and Biodiversity;
- Negative Impact on Protected and Non-Protected Species;
- Negative Impact on Designated Sites;
- Loss of Quiet/Tranquil Areas;
- Pollution from development e.g. light, noise, air etc.; and
- Poor accessibility of the proposal to public transport networks.

Irby, Thurstaston and Pensby Amenity Society (IPAS) have objected to the proposal and the following summarises their objections:

- Contrary to the emerging Local Plan;
- Contrary to the NPPF;
- Loss of Green Belt Land;
- Inappropriate Development in Green Belt;
- Loss of Openness, Character and Permanence of the Green Belt;
- Disagreement that Very Special Circumstances exist;

- Potential for merging of settlements through loss of Green Belt/Open Countryside;
- Loss of/Impact on local character;
- Loss of views;
- Loss of Quiet/Tranquil Areas;
- Impact on local infrastructure created by the proposal;
- Flawed Vision of Leverhulme Estates;
- Pollution from development e.g. light, noise, air etc.;
- Contribution to climate change;
- No need for new housing in this location;
- Loss of Agricultural Land/Loss of Food Production Land/Food Security Issues;
- Impact on heritage assets;
- Design of proposal;
- Inappropriateness of Outline Application for this type of proposal;
- Negative Impact on Wildlife and Biodiversity;
- Negative Impact on Protected and Non-Protected Species; and,
- Biodiversity loss is not replaced by adequate mitigation.

**CONSULTATIONS**

Highways – No objection in principle, subject to off-site highways works and an s106 contribution to the safer routes to school initiative.

National Highways – No objection.

Environment Agency - No objection, subject to condition.

LLFA – objection, further information required.

Environmental Health – No objection, subject to conditions.

MEAS – Further information required prior to determination.

Natural England – Further information required to determine impacts on designated sites.



	<p>United Utilities - No objection, subject to condition.</p> <p>Sport England - Object, further information required.</p> <p>Housing Strategy - No objection, subject to legal agreement for contributions</p> <p>Public Protection – No objection.</p>
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<b>3.1 Site and Surroundings</b>	
3.1.1	The site to which the application relates is in agricultural use and is approximately 10.2 hectares in size. The site is a parcel of land to the south of Arrowe Road and east of Rigby Drive, Greasby. It is bordered to the south and east by agricultural land. Arrowe Brook Lane lies to the east of the site.

<b>3.2 Proposed Development</b>	
3.2.1	<p>Outline planning permission, with all matters reserved except for access, is sought for: Residential development for up to 240 dwellings (Use Class C3), including 30% affordable housing; a 'park and stride' car park; improved walking and cycling links; a community orchard; a community park and children's play areas; wildlife habitats and green corridors; and off-Site highway, environmental, biodiversity and accessibility enhancements.</p> <p>Although an outline application, the illustrative masterplan provided indicates the proposal includes provisions to create three substantial areas of new publicly accessible green space including a community orchard, grassland and wetland habitats. In the centre of the Site, two smaller green spaces will lead to a larger community park at the highest part of the Site. The park will contain two children's play areas (a Neighbourhood Equipped Area for Play ('NEAP') and a Locally Equipped Area for Play ('LEAP')), grassland and wildlife areas.</p>

<b>3.3 Development Plan</b>	
3.3.1	<p>The Wirral Unitary Development Plan 2000</p> <ul style="list-style-type: none"> <li>• URN1 Development and Urban Regeneration</li> <li>• URN2 Planning Agreements</li> <li>• HSG2 Affordable Housing</li> <li>• GBT1 Green Belt Boundaries</li> <li>• GB2 Guidelines for Development in the Green Belt</li> <li>• CHO1 The Protection of Heritage</li> <li>• CH25 Development Affecting Non-Scheduled Remains</li> </ul>

	<ul style="list-style-type: none"> <li>• AGR1 The Protection of Agriculture</li> <li>• NCO1 Principles for Nature Conservation</li> <li>• LAN1 Principles for Landscape</li> <li>• TRT1 Provision for Public Transport</li> <li>• TRT3 Transport and the Environment</li> <li>• TR9 Requirements for Off-Street Parking</li> <li>• TR12 Requirements for Cycle Parking</li> <li>• WMT2 Recycling and Re-use of Waste Materials</li> <li>• WAT1 Fluvial and Tidal Flooding</li> <li>• WAT2 Protection of the Water Environment</li> <li>• LA7 Criteria for Development at the Urban Fringe</li> <li>• WA5 Protecting Surface Waters</li> <li>• AG1 Development and Agriculture</li> <li>• AG2 The Protection of Best Quality Agricultural Land</li> <li>• HS4 Criteria for New Housing Development</li> <li>• HS6 Principles for Affordable Housing</li> <li>• HS9 Mobility Housing</li> <li>• NC1 Protection of sites of international importance for Nature Conservation</li> <li>• NC3 Protection of Sites of National Importance for Nature Conservation</li> <li>• NC4 Sites of National Importance for Nature Conservation</li> <li>• NC7 Species Protection</li> </ul> <p>• GR5 Landscaping and New Development</p> <p>The Joint Waste Local Plan for Merseyside and Halton</p> <ul style="list-style-type: none"> <li>• WM8 Waste Prevention and Resource Management</li> <li>• WM9 Sustainable Waste Management Design and Layout for New Development</li> </ul>
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<b>3.4 Other Material Planning Considerations</b>	
3.4.2	The National Planning Policy Framework (2021) <ul style="list-style-type: none"> <li>• Introduction</li> <li>• Achieving sustainable development</li> <li>• Decision-making</li> <li>• Delivering a strong supply of homes</li> <li>• Promoting healthy and safe communities</li> <li>• Promoting sustainable transport</li> <li>• Making effective use of land</li> <li>• Achieving well-designed places</li> <li>• Protecting Green Belt land</li> <li>• Meeting the challenge of climate change, flooding and coastal change</li> <li>• Conserving and enhancing the natural environment</li> <li>• Conserving and enhancing the historic environment</li> </ul>
3.4.3	Supplementary Planning Document 4: Parking Standards

3.4.4	<p>Wirral Borough Council is in the process of submitting a new local plan for examination.</p> <p>On the 21 March 2022 full council approved publication of the Draft Local Plan Under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 before submission to the Secretary of State. The Local Plan was submitted to the Secretary of State on the 26<sup>th</sup> of October 2022. The local plan and supporting evidence base can be viewed online at <a href="http://www.wirral.gov.uk/lpexam">www.wirral.gov.uk/lpexam</a></p> <p>As the Wirral Local Plan has been submitted for examination it (and the supporting evidence base) is a material consideration and can be afforded weight in the decision making process. In attaching weight to individual policies, paragraph 48 of the NPPF is relevant as it states:</p> <p>“Local planning authorities may give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> <li>• the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);</li> <li>• the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and</li> <li>• the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).</li> </ul> <p>The following policies are considered to be relevant to this proposal: WS1, WS2, WS5, WS6, WS7, WS8, WS9, WS10, WP8, WD1, WD3, WD4, WD15, WD18.</p>
3.4.5	<p>Wirral Tree, Hedgerow and Woodland Strategy 2020-2030 and National Design Guide (2021) are also material considerations.</p>

<b>3.5 Assessment</b>	<p>Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Development Plan where the site is located, comprises the saved policies of the Wirral Unitary Development Plan (Adopted 2000) and the Joint Waste Local Plan for Merseyside and Halton (Adopted 2013)</p> <p>The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.</p> <p>The emerging Wirral Local Plan, together with its up-to-date evidence, is considered to be a material consideration in the determination of planning applications. ”</p>
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	<p>The application has been assessed against development plan policies, national planning policy and guidance, and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:</p> <ul style="list-style-type: none"> <li>• The Principle of the Development (Green Belt including Very Special Circumstances);</li> <li>• Emerging Local Plan</li> <li>• Housing Land Supply;</li> <li>• Protection of Agricultural Land;</li> <li>• Landscape Impact;</li> <li>• Affordable Housing;</li> <li>• Housing Mix;</li> <li>• Design;</li> <li>• Residential Amenity;</li> <li>• Highways;</li> <li>• Ecology and Biodiversity;</li> <li>• Archaeology;</li> <li>• Drainage and Flood Risk;</li> <li>• Waste;</li> <li>• Sport and Recreation;</li> <li>• S106 Matters; and</li> <li>• Climate Change.</li> </ul>
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<b>3.6 EIA Matters</b>	
3.6.1	The Environmental Impact Assessment Regulations 2017 (“the EIA Regulations”) set out in Schedule 4 the general requirements for the content of Environmental Statements. These comprise information on the nature of the development; consideration of alternatives; relevant aspects of the environment; likely environmental impacts arising; proposed mitigation measures; and an indication of any difficulties in compiling the information needed. A non-technical summary of the contents of the Environmental Statement is also required.
3.6.2	The submitted Environmental Statement (“ES”), subject to the satisfactory receipt of additional information, satisfies these requirements and can be used as a basis for determination of the application.
3.6.3	Regulation 18(5) of the EIA Regulations requires an applicant to ensure that the ES is prepared by competent experts and provide a statement from the developer outlining the relevant expertise or qualifications of such experts. A statement of expertise has been submitted. The qualifications of each assessor have been included at the start of each technical chapter of the ES.
3.6.4	The ES is based on a Parameter Plan (drawing ref: 1815/01/204 Rev E) included at Appendix 1.2 of the planning application. The Parameter Plan sets out the spatial parameters of the proposed development, in relation to land use, areas of potential built development, landscaping and green infrastructure, and access and movement. The proposed access is shown on drawing 078238-CUR00-XX-DR-TP-75001-P04 and is included at Appendix 1.3. These documents should be secured as approved plans by a suitably worded condition.
3.6.5	There is no reference to Climate Change within either the Air Quality or Agricultural Land Quality Chapters of the Environmental Statement. The impact of climate change on the development has been taken into consideration by the applicant within the Flood Risk Assessment and Surface Water Drainage Strategy in terms of future proofing the development against the anticipated increase in rainfall. The contribution of the development to climate change with regards to

	greenhouse gases as well as the loss of approximately 10.2 hectares of agricultural land and its carbon storage properties has not been assessed by the applicant. Further information on this has not been received.
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<b>3.7 Principle of Development</b>	
3.7.1	<p>The site is located within an area of Green Belt as per policy GBT1 of the UDP. Therefore, the main issues are:</p> <ul style="list-style-type: none"> <li>• Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies;</li> <li>• The effect of the proposal on the openness of the Green Belt and the purposes of including land within it; and</li> <li>• If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.</li> </ul> <p>Paragraph 147 of the NPPF states <i>“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”</i></p> <p>Paragraph 148 of the NPPF states <i>“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ 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.”</i></p>
3.7.2	<p><i>Principle of Development (Whether the Proposal is inappropriate development in the Green Belt)</i></p> <p>The proposal map within the UDP identifies this application site as being within the Green Belt. Both the NPPF and Policy GB2 of the UDP (which predates the NPPF and is based on earlier national planning policy but contains similar protections and restrictions) identify a list of appropriate uses in the Green Belt for which new build development may be permitted. Any other uses not identified are deemed to be inappropriate.</p> <p>Policy GB2 States <i>“Within the Green Belt there is a general presumption against inappropriate development and as such development will not be approved except in very special circumstances. Planning Permission will not be granted for development in the Green Belt unless it is for the purposes of:</i></p> <ul style="list-style-type: none"> <li>i) <i>Agriculture and forestry;</i></li> </ul>

	<ul style="list-style-type: none"> <li>ii) <i>Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;</i></li> <li>iii) <i>The limited extension, alteration or replacement of existing dwellings, subject to Policy GB4 and Policy GB5;</i></li> <li>iv) <i>The limited infilling in existing villages, subject to Policy GB6, including limited affordable housing subject to local community needs;</i></li> <li>v) <i>The limited infilling or redevelopment of major existing developed sites identified under GB9;</i></li> </ul> <p><i>Such appropriate development shall not damage the visual amenities of the Green Belt by virtue of its siting, materials or design.”</i></p>
3.7.3	<p>The NPPF states that the construction of new buildings within the Green Belt is inappropriate development, but paragraph 149 lists certain forms of development which are not regarded as inappropriate.</p> <p>Paragraph 149 of the NPPF States “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:</p> <ul style="list-style-type: none"> <li>a) <i>buildings for agriculture and forestry;</i></li> <li>b) <i>the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, 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;</i></li> <li>c) <i>the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;</i></li> <li>d) <i>the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;</i></li> <li>e) <i>limited infilling in villages;</i></li> <li>f) <i>limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and</i></li> <li>g) <i>limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:</i> <ul style="list-style-type: none"> <li>– <i>not have a greater impact on the openness of the Green Belt than the existing development; or</i></li> <li>– <i>not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”</i></li> </ul> </li> </ul>

3.7.4	The proposed development does not meet any of the exemption criteria listed in Policy GB2 of the UDP nor Paragraph 149 of the NPPF, whilst the Green Belt is also protected from inappropriate development as per Policy URN1 of the UDP.
3.7.5	<p>Paragraph 150 of the NPPF states “<i>Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:</i></p> <p><i>a) mineral extraction;</i></p> <p><i>b) engineering operations;</i></p> <p><i>c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;</i></p> <p><i>d) the re-use of buildings provided that the buildings are of permanent and substantial construction;</i></p> <p><i>e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and</i></p> <p><i>f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.”</i></p> <p>The proposed development does not fall into any of these categories.</p>
3.7.6	The proposed dwellings would therefore represent inappropriate development in the Green Belt both under the UDP policies and the NPPF. Inappropriate development in the Green Belt is, by definition, harmful.
3.7.7	<p>Overall, the development of new dwellings on this site in the Green Belt would be inappropriate and not acceptable in principle. Therefore, the principle of development would be inappropriate in the Green Belt and is therefore considered a departure from the development plan.</p> <p>The following section assesses the harm on the Green Belt in detail.</p>
3.7.8	<p><u><i>Principle of Development (The Openness of the Green Belt)</i></u></p> <p>The essential characteristics of the Green Belt are its openness and permanence. It has been established that openness has both a spatial and a visual aspect, the former being taken to mean the absence of built form.</p> <p>Paragraph 138 of the NPPF states “<i>Green Belt serves five purposes:</i></p> <p><i>a) to check the unrestricted sprawl of large built-up areas;</i></p> <p><i>b) to prevent neighbouring towns merging into one another;</i></p> <p><i>c) to assist in safeguarding the countryside from encroachment;</i></p> <p><i>d) to preserve the setting and special character of historic towns; and</i></p> <p><i>e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”</i></p>

3.7.9	<p>The Planning Practice Guidance (PPG) provides guidance on the factors to be taken into account when considering the potential impact of development on the openness of the Green Belt; these include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Openness – Spatial and visual</li> <li>• The duration of the development and its remediability; and</li> <li>• The degree of activity likely to be generated, such as traffic generation.</li> </ul>
3.7.10	<p><i>Spatial and Visual Impact</i></p> <p>Although adjacent to the built-up area of Greasby, it is considered that this proposal would be viewed as separate to the settlement itself by virtue of its location to the south of Arrowe Road, which forms a distinct boundary of settlement in this location. An incursion in this direction would open up the land to south of this site to further future development. The proposed development would dramatically alter the form and extent of the settlement, dwellings would extend into an area of open countryside, significantly extending the area of built development. This would significantly change the character of the immediate surroundings by introducing a substantial area of built development where none previously existed.</p> <p>Development of the application site would diminish open views of the countryside within this location. Loss of these views from various viewpoints would detract from the agricultural feel of the immediate and wider surrounding area and would in turn urbanise this area. The proposed development would dramatically alter the form and extent of the settlement as dwellings would extend into an area of countryside, significantly extending the area of built development. This would change the character of the immediate surroundings by introducing built development where none previously existed. Whilst it would be possible to introduce landscaping as part of any proposal the presence of residential urbanising development will be apparent. It is considered the built form would stand out as an uncharacteristic and incongruous extension of residential development into open countryside. Taking these matters in the round it is considered that the proposal would be seriously harmful to the character and appearance of the locality and adversely affect openness spatially, visually and through increased activity.</p> <p>Whilst the design of the dwellings and proposed material palette may correlate well to existing dwellings and may be adapted to fit with the character of other dwellings in the area and complement its character, the introduction of development in this area would increase the quantum of densely built and continuous residential development in this location. In turn, there would be a clear urbanising effect in this location and, in combination with development elsewhere, there would also be cumulative adverse effects on the character and appearance and openness of the area.</p>
3.7.11	<p><i>Landscape and Visual Impact</i></p> <p>There would be some inevitable harm arising in landscape and visual terms from the building of houses on currently undeveloped fields.</p> <p>Existing hedgerows and trees to the in the vicinity of the site will be retained and incorporated within other green corridors proposed. Additional tree and woodland planting will link the corridor to retained trees. Additional native structural planting is proposed to the boundary.</p> <p>The development will extend the existing housing area further south, encroaching into agricultural land that forms a gap between Greasby and the settlements of Irby and</p>



	<p>Thingwall. Given the undeveloped nature of the site and its visibility from surrounding viewpoints, it is likely that the development would have Moderate/Major Adverse Impacts.</p>
3.7.12	<p><i>Openness Conclusion</i></p> <p>Overall, it is considered that the proposed development would not preserve the openness of the Green Belt due to the spatial and visual impact of the proposal together with increased activity. The proposed development would therefore be inappropriate development in the Green Belt, which is by definition harmful to the Green Belt. Paragraph 143 of the NPPF states that inappropriate development in the Green Belt should not be approved except in very special circumstances (this is considered below). The NPPF also requires that when considering the very special circumstances, the Local Planning Authority need to consider the potential harm to the Green Belt and "any other harm resulting from the proposal".</p> <p>In terms of the effect of the proposed development on the spatial aspect, there would be an unavoidable reduction in the openness of the Green Belt purely by virtue of the proposed dwellings being built.</p> <p>Therefore, there would be harm arising out of the inappropriateness of the application scheme, and the proposal is contrary to NPPF paras 147-151 and UDP policy GB2.</p>
3.7.13	<p><i><u>Duration of the development and its remediability</u></i></p> <p>The proposal is for housing, which it is understood to be permanent development subject to a non-time bound planning permission and would be difficult to return to its pre-existing condition.</p>
3.7.14	<p><i><u>Activity likely to be generated</u></i></p> <p>The proposal site would become a residential area, which would see urban/suburban uses introduced into a currently agricultural area through vehicular movements, increase patronage of pedestrians, residential and leisure activities.</p>
3.7.15	<p>Having established that this is inappropriate development in the Green Belt and that the nature of the development is harmful to the Green Belt Openness, the following section considers whether Very Special Circumstances exist.</p>
3.7.16	<p><i>Principle of Development (Very Special Circumstances)</i></p> <p>Wirral Policy GB2 states "<i>Within the Green Belt there is a general presumption against inappropriate development should not be approved except in very special circumstances</i>". NPPF Para 147 states that "<i>Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.</i>" As stated above, the application proposals would give rise to additional harm to the openness and encroachment of the Green Belt in addition to the definitional harm.</p> <p>NPPF Paragraph 148 states "<i>When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances 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.</i>"</p> <p>Where the potential harm is 'clearly outweighed by other considerations' this can justify inappropriate development in the Green Belt (Para 148 NPPF) and represent</p>

	<p>'very special circumstances. There is, however, no definitive list for what will constitute very special circumstances, and it requires an assessment of the facts and circumstances of the individual application.</p> <p>In terms of very special circumstances, in <i>Atkins v Tandridge City Council</i> [2015] EWHC 1947 (Admin), Dove J stressed (by way of underlining) the need for the harm to be "clearly outweighed" by other considerations. This is not considered the same as a simple balancing exercise. The very special circumstances need to be set out and need to be sufficient to outweigh the harm <i>R (Lee Valley Regional Park Authority) v Broxbourne BC</i> [2015] EWHC 185 (Admin) per Ouseley J.</p> <p>The supporting planning statement suggests that 'very special circumstances' can be demonstrated to justify the proposal which includes its sustainable location.</p> <p>This application has been submitted following a number of other applications (OUT/22/00941, OUT/22/00942, OUT/22/0943, OUT/22/00944, OUT/22/00945, OUT/22/00946, OUT/22/00947), which have recently been refused. The applicant considered that the following are very special circumstances that cumulatively span across the whole suite of applications:</p> <ul style="list-style-type: none"> <li>• Following a 'Planned (and Plan-led)' Approach;</li> <li>• Effective Housing Delivery;</li> <li>• Green Belt Management - 'Responsible release of Green Belt Land';</li> <li>• Environmental Enhancements Package;</li> <li>• Leverhulme's long term stewardship;</li> <li>• Contribution to Wirral's 5 Year Housing Land Supply (Currently 3.1 years);</li> <li>• Biodiversity Net Gain 20% across the sites;</li> <li>• Provision of a Site of Alternative Natural Green Space (SANG) (Including 22.7ha of Land, Circular Walk of 3.5km and Parking Provision);</li> <li>• Long term stewardship through the design charter;</li> <li>• Locally Specific House Types;</li> <li>• Open Space Provision in excess of Wirral's Latest Open Space Standards; and,</li> <li>• Walkable Neighbourhoods.</li> </ul> <p>The very special circumstances of this particular scheme (OUT/22/01821) as presented by the applicant, are considered to be:</p> <ul style="list-style-type: none"> <li>• Affordable Housing Provision at 30% (10% above policy requirement);</li> <li>• Off Street Cycle Super Greenway;</li> <li>• Accessible Open Space 2.43ha, including Neighbourhood Play Area of 0.14ha. Above policy requirement of 2.14ha for open space;</li> <li>• Expansion to School Pitches;</li> <li>• Sports Pitches and Pavillion;</li> <li>• 'Park and Stride' Car Park and connecting route to schools;</li> <li>• Woodland, Tree and Hedgerow Planting; and,</li> <li>• Expansion to Local Centre (including public realm improvements).</li> </ul>
3.7.17	<p>These have been assessed individually in Appendix 1 of this report. It is not considered that these form Very Special Circumstances individually. Many of the elements of the application could simply be considered requirements that the Local Planning Authority would be seeking in order to make the development compliant with Policy in any case, and many claimed benefits of the scheme would normally be sought in any large housing scheme. These do not constitute "very special circumstances".</p>

	<p>In cumulative terms it is not considered that the benefits of the proposal put forward cumulatively outweigh the substantial harm to the Green Belt so as to constitute Very Special Circumstances. This is principally due to:</p> <ul style="list-style-type: none"> <li>• the impact on openness;</li> <li>• the adverse impact on the character and appearance of the area;</li> <li>• the loss of best and most versatile agricultural land;</li> <li>• the impact creating urban sprawl, encroaching into open countryside; and</li> <li>• their impact potentially undermining urban regeneration and the recycling of derelict and other urban land. This would cause an undesirable and unsustainable pattern of development.</li> </ul> <p>Further to the above, the individual and cumulative effect of the proposed development would undermine the plan making process, which seeks to meet the development and infrastructure needs of the Borough through an urban intensification approach, focussing on promoting the regeneration of Birkenhead and other urban areas of the Borough. The development of land in the Green Belt would be fundamentally contrary to the spatial strategy of the emerging Local Plan and would act to undermine the regeneration of Birkenhead and other urban areas of the Borough. In this regard the proposal would therefore undermine one of key purposes of the green belt namely to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.</p>
3.7.18	<p>As referred to in the sections above, it is not considered that the proposal complies with relevant policy in relation to Green Belt matters, nor is it considered that the proposal is compliant with relevant policy in terms of the incursion of development into the open countryside and therefore the principle of development is not considered acceptable.</p>
3.7.19	<p>Representations have been received from interested parties, objecting to the construction of new dwellings in the Green Belt, the negative impacts associated with development of Green Belt land, and that Very Special Circumstances' have not been demonstrated in this instance. As well as these, representations have also been received raising the following: the proposal being unacceptable in principle and being contrary to the UDP the NPPF and the emerging Local Plan; contrary to the five purposes of the green belt; the negative impact these proposal could cause on the delivery of housing on previously developed land and urban regeneration schemes in the Wirral; alternative locations within the borough and wider Merseyside region being more suitable; the precedence of granting permission for the proposal; loss of openness, character and permanence; urban sprawl; potential for merging of settlements through the loss of green belt; and the loss of tourism opportunities through the loss of green belt; the loss of countryside and open countryside, as well as impacts on this as a recreational space.</p>

<b>3.8 Emerging Local Plan</b>	
3.8.1	<p>The spatial strategy of the Wirral draft Local Plan focusses on the regeneration of Birkenhead and wider regeneration programme for the 'LeftBank' of the River Mersey stretching from New Brighton to Bromborough. Sufficient brownfield land and opportunities exist within the urban areas of the Borough to ensure that objectively assessed housing and employment needs can be met over the plan</p>

	period. The Council has therefore concluded that the exceptional circumstances to justify alterations to the Green Belt boundaries (as set out in paragraph 141 of the NPPF) do not exist in Wirral.
3.8.2	Through the production of the emerging Local Plan the Council has determined through extensive work that exceptional circumstances to justify alterations to Green Belt boundaries do not exist. The Council would only be able to conclude that exceptional circumstances existed after ensuring that it had made as much use as possible of suitable brownfield sites and underutilised land. The evidence base that has informed and supports the emerging Local Plan, including the Strategic Environmental Assessment / Sustainability Appraisal justifies the approach taken by the Council. The planning system is plan-led, and it is for the Development Plan to determine the spatial strategy for the Borough.
3.8.3	The spatial strategy of the emerging Local Plan is underpinned and justified by a comprehensive evidence base and Strategic Environmental Assessment / Sustainability Appraisal.
3.8.4	The emerging Local Plan policy WP 8.1 states that national policy for the Green Belt will apply in the determination of proposals within the Rural Settlement Area.
3.8.5	This planning application is located on land designated as Green Belt. The proposals are considered to represent inappropriate development and not to represent very special circumstances. As a result, they are considered to be contrary to national and local planning policy in green belt terms, for the reasons set out above.
3.8.6	The emerging Local Plan outlines the approach to meeting the future development needs of the borough. The spatial strategy of the emerging Local Plan seeks to promote sustainable development through the intensification and regeneration of urban and brownfield land in the Borough. This accords with national planning policy.
3.8.7	Representations have been received in relation to the proposal being contrary to the emerging local plan, it is considered these have some merit.

<b>3.8 Housing Land Supply</b>	
3.9.1	In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement. The five-year housing land supply position is pertinent to proposals for housing in that paragraph 11 (d) and corresponding footnote 7 of the NPPF indicates that the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.
3.9.2	As set out in paragraph 73 of the NPPF, where the strategic policies are more than 5 years old, local planning authorities should measure their housing land supply against their local housing need. In accordance with the standard methodology, Wirral Borough's local housing requirement figure is currently 835 per annum for the plan period of the emerging Wirral Local Plan.
3.9.3	The latest published calculation of the Borough's housing land supply, set out within the Council's Strategic Housing Land Availability Assessment 2021, shows a six-year supply (Document H7, page 23). An initial calculation of the position at April 2022, would currently indicate a 5.9 year-supply.

3.9.4	The latest Housing Delivery Test result for Wirral, published by the Government in January 2022, showed delivery at 99%, with no additional action plan or buffer required under paragraphs 74 or 76 of the NPPF. Development recorded during 2021/22 indicates that housing delivery is also likely to exceed 75% under the Housing Delivery Test for 2022.
3.9.5	Over recent years a significant quantum of residential development has been granted planning permission in the borough. In addition, the Submission Draft Local Plan plans for the provision of 16,322 dwellings against a housing requirement of 13,360 dwellings across the plan period. It is considered that the Submission Draft Local Plan will provide for the housing needs of the Borough.
3.9.6	Representations have been received indicating that sufficient housing land is available for development elsewhere in the borough to meet local housing need. This position is agreed with, the council can identify a five-year housing land supply, as evidenced above. Comments have also been received querying the need for new housing given past population growth. These comments are noted, however there is a need for the LPA to plan to meet future needs in accordance with national planning policy and the standard methodology.
3.9.7	The Council does have a 5-year housing supply based upon up-to-date evidence from the emerging Local Plan. In any event the correct place to consider and assess Green Belt release is through the local plan process and not via individual applications.

<b>3.10 Protection of Agricultural Land</b>	
3.10.1	Wirral UDP Policies AGR1, AG1, AG2 relate to the loss of agricultural land. The Applicant has submitted an Agricultural Land Classification and Soil Resources Report with this application, this also includes a plan classifying land within the site. There is also a chapter of the ES dedicated to this matter.
3.10.2	<p>Agricultural land in England and Wales is graded between 1 and 5, depending on the extent to which physical or chemical characteristics impose long-term limitations on agricultural use. The principal physical factors influencing grading are climate, site and soil which, together with interactions between them, form the basis for classifying land into one of the five grades:</p> <ul style="list-style-type: none"> <li>• Grade 1 land is excellent quality agricultural land with very minor or no limitations to agricultural use.</li> <li>• Grade 2 is very good quality agricultural land, with minor limitations which affect crop yield, cultivations or harvesting.</li> <li>• Grade 3 land has moderate limitations which affect the choice of crops, timing and type of cultivation, harvesting or the level of yield, and is subdivided into Subgrade 3a (good quality land) and Subgrade 3b (moderate quality land).</li> <li>• Grade 4 land is poor quality agricultural land with severe limitations which significantly restrict the range of crops and/or level of yields.</li> <li>• Grade 5 is very poor-quality land, with very severe limitations which restrict use to permanent pasture or rough grazing.</li> </ul>

	Land which is classified as Grades 1, 2 and 3a in the Agricultural Land Classification (ALC) system is defined as best and most versatile (BMV) agricultural land.
3.10.3	<p>Policy AGR1 states <i>“In considering proposals for development on agricultural land the local planning authority will seek to prevent:</i></p> <p><i>I) The loss of Wirral’s Best and Most Versatile Agricultural Land;</i></p> <p><i>II) The Severance or Fragmentation of a Farm Holding;</i></p> <p><i>III) Unacceptable nuisance or disturbance to existing agricultural enterprise.</i></p> <p><i>Where development on the best and most versatile agricultural land is unavoidable such development should be directed to the lowest possible grade.”</i></p>
3.10.4	<p>Policy AG1 states <i>“In assessing the siting, design and layout of proposals for new development near existing agricultural land holdings, the Local Planning Authority will need to be satisfied that appropriate measures have been taken in order to:</i></p> <p><i>I) protect the operational needs of continued and viable agricultural enterprise within the area;</i></p> <p><i>II) minimise direct or indirect disturbance to existing agricultural land uses;</i></p> <p><i>III) take the main focus for public recreation away from area used for agricultural production.”</i></p>
3.10.5	<p>Policy AG2 states <i>“In order to protect Wirral’s best and most versatile agricultural land, proposals involving the non-agricultural use of land classified within Grade 1, Grade 2 and sub-grade 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. In assessing the scope for a future return to the best quality agricultural land, particular regard will be paid to:</i></p> <p><i>I) the siting and extent of hard development proposed; and</i></p> <p><i>ii) the extent and depth of disturbance to the soil structure.”</i></p>
3.10.6	<p>Paragraph 174 of the NPPF is also relevant to this section. This states <i>“Planning policies and decisions should contribute to and enhance the natural and local environment by: ..... 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”.</i></p>
3.10.7	<p>This proposal will result in loss of 10.2ha of agricultural land, all of which is classed as Best and Most Versatile (3.2ha of this is Grade 2 and 7ha is Grade 3a). 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).</p>
3.10.8	<p>There are no universally applicable measures available to mitigate the direct loss of agricultural land, however mitigation is proposed in the form of a soil</p>

	resource management plan (SRMP) at detailed design stage. It is understood the plan would confirm the different soil types; the re-use for the soils; and the proposed methods for handling, storing and replacing soils on-site. The SRMP proposed is understood to seek to re-use displaced soil resources on-site in the detailed design of open spaces and green infrastructure. This could be secured through a suitably worded planning condition. The applicant acknowledges there is some harm due to the proposed loss of agricultural land, however they consider this must be balanced against the overall benefits of the scheme. It is not agreed that the benefits of the scheme outweigh the loss of agricultural land that will be experienced, particularly given the quantum of the site that is identified as best and most versatile, both in relation to the specific loss of this site, and the other sites previously submitted for consideration by the applicant alongside this application (OUT/22/00941, OUT/22/00942, OUT/22/00943, OUT/22/00944, OUT/22/00945, OUT/22/00946 and OUT/22/00947), which have been refused permission.
3.10.9	Representations have raised concerns and objections regarding the development of agricultural land and associated issues e.g. loss of farming business. These representations also raise matters in relation to the potential, should this application be approved, to contribute to food security issues, and increase food miles e.g. distance between 'food source' and 'dinner plate' and the sustainability concerns around this. It is considered these comments have some merit in the consideration of this planning application.
3.10.10	The proposal would undoubtedly result in the loss of best and most versatile agricultural land, which has been in use for a multi-generational period. This loss would be contrary to planning policy on agricultural land (both locally and national). Further to this, a loss of agricultural land would contribute to an overall reduction in productive agricultural land in the country for food production and add to food security concerns.
3.10.11	The proposal would not therefore comply with Policies AGR1, AG1, AG2 of the UDP or Chapter 15 of the NPPF, taking into account relevant material considerations and the other provisions and intentions of the NPPF.

<b>3.11 Landscape</b>	
3.11.1	This section of the proposal seeks to appraise the proposal in relation to landscape matters and particularly the impact the proposal will have on the landscape and its character. Policies LAN1 and LA7 are relevant UDP policies to this section, with Section 15 of the NPPF also relevant. The applicants have prepared and supplied a Landscape and Visual Appraisal (LVA) document to provide a baseline review of the existing site and discuss the potential effects of the development, providing recommendations and conclusions. The Council has also commissioned a review of the proposal in relation its landscape impact. This has been undertaken by Land Use Consultants and has been utilised in this assessment. In addition to this, it is considered important to highlight that landscape matters in the context of Green Belt matters have been considered in the 'Principle of Development' section of this report.
3.11.2	Policy LAN1 states <i>"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."</i>
3.11.3	Policy LA7 states <i>"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: i) new buildings are sited, designed and landscaped, in order to minimise visual intrusion; ii) proposals for boundary treatment are appropriate, in terms of the character of the surrounding</i>

	<i>landscape; and iii) prominent features within the landscape framework of the area are retained and enhanced.”</i>
3.11.4	<p>In terms of this site, boundary hedgerows can largely be retained, dependent on visibility splay requirements at the two site entrances. There would be some inevitable harm arising in landscape and visual terms from the building of houses on currently undeveloped fields. The set back of property lines from the boundaries allows additional hedgerow tree planting to be accommodated.</p> <p>The development will extend the existing housing area further south, encroaching into agricultural land that forms a gap between the edges of Greasby, Irby and Thingwall.</p>
3.11.5	It is considered that the proposal will have an unacceptable, negative impact on this rural, agricultural location from a landscape perspective and its setting, and is therefore not compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and the draft Local Plan , and it is not considered that these issues can be overcome through the imposition of conditions.
3.11.6	Representations have been received from interested parties regarding the landscape impact of the proposal, as well as the impact on local character; its tranquil nature; its uniqueness and distinctiveness; and the loss of green space. It is considered that these comments have some merit. As mentioned above, it is not considered the proposal is compliant with relevant policy in relation to landscape matters.

<b>3.12 Affordable Housing</b>	
3.12.1	<p>This section seeks to appraise the proposal in terms of Affordable Housing Matters. Advice on this matter has been sought from the Housing Strategy team within the Council. Under both the existing UDP and the emerging Wirral Local Plan (under policy WS3), the site is within an area requiring 20% affordable housing. The relevant policy in the UDP is policy HSG2 and HS6. In their Planning Statement, the applicant proposes that up to 30% affordable housing is delivered. Indicative property types for the affordable housing are given as: Affordable Housing – Social, Affordable or Intermediate Rent: 11 x 1 and 2 Bedroom Apartments; 15 x 2 Bedroom Houses; 25 x 3 Bedroom Houses; 18 x 4 Bedroom Houses; 1 x 2 Bedroom Bungalow; and 2 x 3 Bed Bungalow. The proposal is accompanied by the following which are relevant to this section: Environmental Statement; Planning Statement; Design and Access Statement; and a 'Very Special Circumstances' Paper.</p>
3.12.2	<p>NPPF states that 10% of the housing would need to be met through an affordable home ownership product. National First Homes policy requires that 25% of the affordable homes obligation must be First Homes and there must be a proportion within the planning obligation for Social Rent, the percentage as set out in Local Plan evidence (SHMA). In Wirral this is 35% of the obligation. The affordable housing tenure mix for this development, at 30% affordable housing, would therefore be as follows:</p> <ul style="list-style-type: none"> <li>• 76 units of affordable housing are proposed;</li> <li>• A minimum 18 of these units must be First Homes;</li> <li>• In addition to the minimum 18 First Homes, 6 units must be for affordable home ownership, to meet the NPPF requirement, with a</li> </ul>



	<p>further 7 units recommended for affordable home ownership based on the SHMA's recommended tenure mix. The affordable home ownership units can be more First Homes or any of the other types stipulated under the NPPF definition. The Council's preference is for Shared Ownership or Rent to Buy;</p> <ul style="list-style-type: none"> <li>• 25 units must be for Social Rent;</li> <li>• 16 units should be affordable housing for rent (either more Social Rent or through Affordable Rent units), as recommended by the SHMA.</li> </ul>
3.12.3	The applicant states that the tenure proportions proposed will be confirmed through subsequent Reserved Matters applications and acknowledges the obligation will be secured through a Section 106 agreement. Alongside, the Reserved Matters applications, an indication of interest from Registered Providers of Social Housing (RPs) would also be expected.
3.12.4	To confirm, the housing strategy/affordable housing team have no objection to the proposal, subject to conditions, associated S106 agreement, and detailed matters to be assessed at later stages.
3.12.5	Subject to completion of a legal agreement the proposal is considered to accord with policy HSG2, HS6 and other relevant sections of the development plan, taking into account relevant material considerations and the provisions and intentions of the NPPF and the draft Local Plan.
3.12.6	Representations have been received from interested parties regarding provision of affordable housing matters, these include quantum of provision, the affordability of the affordable housing provision within the scheme, and the range of tenures provided. It is however considered that in terms of affordable housing matters, the proposal is compliant with relevant policy in this matter.

<b>3.13 Housing Mix</b>	
3.13.1	Planning Policies regularly require a mix of housing to be developed, this is in the interest of meeting differing housing needs across society. Policy HS6 and HS9 of the UDP goes into specific local detail, with the National Design Guide providing national guidance on this.
3.13.2	The National Design Guide States <i>"Well-designed neighbourhoods provide a variety and choice of home to suit all needs and ages. This includes people who require affordable housing or other rental homes, families, extended families, older people, students, and people with physical disabilities or mental health needs."</i>
3.13.3	Based on the 'up to' figure of 240 dwellings this is understood to include up to 164 market dwellings, 76 affordable dwellings. The housing mix is proposed as follows: <ul style="list-style-type: none"> <li>• 36 x 1-2 Bed Apartments (11 Affordable and 25 Market)</li> <li>• 50 x 2 Bed Houses (15 Affordable and 35 Market);</li> <li>• 84 x 3 Bed Houses (25 Affordable and 59 Market);</li> </ul>

	<ul style="list-style-type: none"> <li>• 60 x 4 Bed Houses (18 Affordable and 42 Market);</li> <li>• 3 x 2 Bed Bungalows (1 Affordable and 2 Market); and,</li> <li>• 7 x 3 Bed Bungalows (2 Affordable and 5 Market).</li> </ul>
3.13.4	The proposal includes a large mix of dwellings types, houses, apartments, affordable and market homes, family houses/apartments and smaller apartments for smaller households; and is therefore deemed to be in conformity with relevant policy e.g. Development Plan and guidance and other relevant material considerations, and the draft Local Plan.
3.13.5	Within the Design and Access Statement, the proposal makes commitment a to meet the Lifetime Homes standard “where possible”, an appropriate portion of the proposal to be lifetime homes could be secured via a suitably worded condition. In addition, it is expected that consideration of a proportion of the affordable properties, if for rent through the local authority’s allocation procedure, to be ‘wheelchair user’ in line with Part M4(3)(2)(b) of the Building Regulations and if not for affordable or social rent, to be ‘wheelchair adaptable’ in line with Part M4(3)(2)(a) of the Building Regulations. The draft Local Plan requires 6% of dwellings on developments of 17 or more new homes to be built to Part M4(3)(2), with the remainder to be Part M4(2); this should be secured by a suitably worded condition. In addition to the above, it is understood that the proposed dwellings are to meet the Nationally Described Space Standard. It is suggested that this could be secured via a suitably worded condition or via a suitably worded S106 agreement.
3.13.6	The draft Local Plan requires new build dwellings to comply with the higher water efficiency standard of 110 litres/ per person/ per day under Regulation 36(3) of the Building Regulations or any successor standard. The applicant does not mention water efficiency standards in their application documents and it would have been useful to know whether this standard is being met within this scheme. This however could be secured via a suitably worded condition.
3.13.7	The proposal includes a large mix of dwellings types, houses, apartments, affordable and market homes, family houses; and is therefore deemed to be in conformity with relevant policy e.g. Development Plan and guidance and other relevant material considerations; where these can be given weight.
3.13.8	Representations have been received from interested parties regarding the mix of housing available, and tenures, it is however considered that the mix provided on site would be compliant with relevant polices, when material considerations have been taken into account.

<b>3.14 Design</b>	
3.14.1	This section seeks to assess the design of the proposal, for which the key considerations are the impact the proposal would have on Local Character and Townscape. These are all intrinsically linked and, in this instance, it is deemed these should be considered together in this section. The National Design Guide, Wirral Trees, Hedgerow and Woodland Strategy are particularly relevant to this section adding detailed guidance in design terms and would be considered in detail alongside a subsequent reserved matters application. Other sections of this report also inform the design of the proposal and are interlinked. This application has been submitted with the following that are relevant to this section: Environmental Statement; Planning Statement, Heritage Impact Assessment; Flood Risk Assessment and Drainage Statement; Leverhulme Vision Document; Design and Access Statement; Illustrative Masterplan; Leverhulme Design Charter; Parameter Plan; Illustrative Landscape Framework;

	and Biodiversity Net Gain Assessment. The Council has sought the advice of its Urban Design consultee, as well as other consultees e.g. Highways, Ecology, in the composition of this section of the report. The proposal is outline in form and detailed matters are to be dealt with at later stages of the planning process.
3.14.2	The standards for new housing development are set out under UDP Policy HS4 which includes visual implications. Policy GR5 is also relevant to this proposal. Development proposals should be of a scale that relates well to surrounding property with regard to existing densities and form of development. Proposals should not result in detrimental change in the character of the area.
3.14.3	Paragraph 130 of the NPPF states that planning decisions should ensure that <i>“developments 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, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and 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”</i> . Paragraph 134 of the NPPF states that <i>“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.”</i>
3.14.4	The NPPF should be read alongside the National Design Guide (2021). Paragraph 21 of the Design Guide advises that <i>“a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including: the layout (or masterplan); the form and scale of buildings; their appearance; landscape; materials; and their detailing”</i>
3.14.5	This comes about through making the right choices at all levels, including: <ul style="list-style-type: none"> <li>• the layout (or masterplan);</li> <li>• the form and scale of buildings;</li> <li>• their appearance;</li> <li>• landscape;</li> <li>• materials; and</li> <li>• their detailing</li> </ul>
3.14.6	Part 2 of the Design Guide sets out the ten characteristics of well-designed places. This includes (but is not limited to) the following: <ul style="list-style-type: none"> <li>• Contextual design which responds positively to the features of the site and the surrounding area beyond its boundary. Paragraph 43 advises well-designed development is integrated into its surroundings and designed around an understanding of the landscape character and existing patterns of built form and architectural styles which should inform the layout, grain, form and scale of development.</li> <li>• Design which responds to local identity and elements of a place that make it distinctive. This includes the height, scale, massing and relationships between buildings, façade design and landscape setting; and</li> <li>• Built form which relates well to the site and its context.</li> </ul>
3.14.7	The masterplans, albeit in illustrative form including issues such as landscaping and sustainability, are generally well done. There are some issues, including the number of cul-de-sacs and limited access points to the road network outside of the sites, which are not best practice, but these do pick up some of the arrangements from the surrounding post-war housing associated with several of the sites.

3.14.8	Adopting this approach in contemporary Wirral has the potential to devalue the qualities of both Port Sunlight and Thornton Hough, and lead to the extension of a 'theme park', and 'pastiche' approach to new housing in the green belt areas. The principles behind both places were adopted to protect a workforce and offer something different to the usual accommodation and places, and they were very much the product of their time. This is no longer the case, and contemporary requirements are different to those of the 1880s. The proposals are not being advanced due to a need to house a local workforce for Lever, and they do not contain the same all-encompassing community facilities provided by Lever. The illustrative designs accompanying the applications suggest that the architectural approach adopted in Port Sunlight and Thornton Hough will be applied irrespective of local context, which does not conform with the approach outlined in the National Design Guide. The sites are rural and on the edge of suburban settlements. A contemporary approach would take into account the very real issues of the need for higher densities, and aspects such as transport management and reduction in vehicular movement, as well as looking to their immediate surroundings for design inspiration.
3.14.9	The Leverhulme Design Charter (May 2022) indicates that all homes will be zero carbon with low carbon heating and high levels of energy efficiency. A fabric first approach will be adopted with increased insulation and increased air tightness, high efficiency lighting and passive or heat recovery systems in place. Houses will have dual aspects, natural ventilation and electrical vehicle charging points. Where possible, existing buildings will be re-used. Timber will be sourced from Programme for the Endorsement of Forest Certification ("PEFC") /Forest Stewardship Council ("FSC") sources. This is welcomed and measures to reduce climate change impacts in line with the requirements of emerging Local Plan policies WS8.1 to WS8.5 should be secured through a suitably worded condition for forthcoming Reserved Matters applications.
3.14.10	In respect of meeting the energy hierarchy, due consideration has been given to all aspects, including dwellings being "zero carbon ready" and utilising solar PV and air source heat pumps for their energy sources.
3.14.11	On this basis the design of the proposal, albeit in illustrative form, is not considered appropriate, it therefore is considered to not be in accordance with relevant policies from the development plan, the relevant sections of the NPPF and the relevant policies from the emerging Local Plan, and other material considerations (e.g. National Design Guide). . It is however considered, that much of the issues raised could either be dealt with via condition, design codes, or a further reserved matters application, and therefore design would not on this occasion form a suitable reason for the refusal of the application.

<b>3.15 Residential Amenity</b>	
3.15.1	NPPF Paragraph 17 requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 123 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 57 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. There are no locally relevant development plan policies in relation to this section.
3.15.2	As noted, only outline permission and detailed access is to be fully assessed at this stage, with many matters reserved for consideration at a later stage. However, the indicative layout provided indicates that up to 240 dwellings could

	potentially be accommodated on this site without having a direct adverse impact on surrounding residential properties, in terms of overlooking or loss of light. As layout is reserved for future assessment, it is considered at this stage that there is sufficient comfort that the development would not directly harm residential amenity.
3.15.3	Based on the indicative masterplan and insofar as can be measured using the plans provided, the layout and scale of the development is deemed to be acceptable and demonstrates satisfactory separation distances can be achieved between the dwellings proposed, which ensure that residential amenity is protected. In the context of the above, the proposals are not considered to be in conflict with Chapter 12 of the NPPF.
3.15.4	It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and the draft Local Plan.
3.15.5	Representations have been received from interested parties in relation to amenity impacts on nearby occupiers, both post and during construction, including loss of views. It is however not considered that this is an appropriate reason for refusal of the application (with loss of views not being a material planning consideration), and this application is considered in regard to amenity matters, to be compliant with relevant policy, subject to relevant conditions, insofar as this can be assessed as an outline planning application.

<b>3.16 Highways</b>	
<b>3.16.1</b>	This section seeks to appraise the impacts that the proposal may have on the surrounding Highways and Transport Network. Typically, the key issues around Highways and Transport matters in relation to rural residential developments, such as this, are Highway Safety, Access, Car Parking and Sustainable Transport Options. Policies TRT1, TRT3, TR9 and TR12 of the UDP are relevant in relation to this section. SPD4 is also relevant to this application, which sets out the Parking Standards, which is a detailed matter and would be considered in a subsequent reserved matters application. The applicant has submitted the following which have relevance to this section: Environmental Statement, Planning Statement; Design and Access Statement; 'Very Special Circumstances' Paper; Transport Assessment; Cumulative Transport Assessment; and, Framework Travel Plan. Consultation has been undertaken with the Highways Development Management Team and National Highways and their comments are considered as part of the commentary below.
3.16.1	The requirements for off-street vehicle and cycle parking are set out as maximums under Policies TR9 and TR12 of the UDP and the accompanying Supplementary Planning Document on Parking Standards.
3.16.2	Paragraph 110 of the NPPF states <i>"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."</i>
3.16.3	Paragraph 111 of the NPPF states that <i>"development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."</i>

3.16.4	<p>Paragraph 112 of the NPPF adds to this and states <i>“Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and, e) be designed to enable charging of plug in and other ultra low emission vehicles in safe, accessible and convenient locations.”</i></p>
3.16.5	<p>The development is supported with a transport assessment and a travel plan, the results to which are accepted by the Council’s Traffic and Transportation team. The assessment details the traffic impact at agreed junctions and also includes an overall assessment of the further seven residential sites and the traffic they are forecast to generate within a Cumulative Impact Transport Assessment.</p>
3.16.6	<p>The 8 sites proposed for which residential development is proposed by the applicant (OUT/22/00941 through OUT/22/00947 and this application, OUT/22/1821) have each been assessed within their own transport assessment. The cumulative traffic impact generated on the network from the combined sites has also been considered within a separate report, that has been submitted with each site’s transportation information.</p>
3.16.7	<p>Traffic and Transportation requested a holding objection against the previous applications as there were concerns that they could not easily be reached by sustainable transport and that as such, they would be car dependent and further talks were necessary between the Council Highways Department and the developer. This application however, is set within a more traditional residential area and has more appropriate links and accessibility is not therefore being considered as a significant issue when compared to the other more remote locations.</p> <p>The site will be accessed from Arrowe Road from two new priority junctions as referenced in drawings nos. <b>078238 CUR 00 XX DR TP 75002 P03</b> and <b>078238 CUR 00 XX DR TP 75001 P04</b> . These have been designed satisfactorily with dropped kerbs, tactile paving and appropriate visibility and right turn ghost islands for the speed of traffic along Arrowe Road. These junctions will also provide suitable access into the site for pedestrians and cyclists.</p> <p>The supporting Transport Assessment (TA) shows that 4 pedestrian refuges will be installed on Arrowe Road including a new footway on the development side of the road where it is missing and works to improve the existing Arrowe Road / Arrowe Brook Road junction. Traffic and Transportation would generally accept these measures however there is a need for a controlled facility across Arrowe Road to link the proposed development with bus stops, the existing schools and Greasby Village or the shops at Upton. This facility would take the form of a PUFFIN Crossing with on crossing and kerbside detection.</p>

	<p>The proposed highway works to the Arrowe Road / Arrowe Brook Road junction would also benefit a usable footway installed to the existing bridge over the Brook as currently this footway is sub-standard. At a subsequent meeting the LHA requested the developer to look at the land ownership surrounding this location and if it were possible to include the requested footway works. Unfortunately, the land needed to widen the footway is outside of the developers control and as such this widening cannot be achieved.</p> <p>The works to install the site accesses, the controlled and uncontrolled pedestrian crossings on Arrowe Road and the footway will be required to be completed as part of a s278 highway agreement, the detail design will require Wirral Highways prior approval and also required to be installed prior to the development becoming occupied and at the developer's expense and at nil cost to Wirral Highways.</p> <p>As part of the off-site highway works the developer will also be required to upgrade the three bus stops on Arrowe Road to current Merseytravel standards with accessible kerbs, shelters, seating and timetables as necessary.</p> <p>The accumulative transport assessment which is a separate document to the development TA included the previous 7 sites and this site for 240 dwellings, the development has therefore been fully assessed in terms of its wider impact and found to be acceptable. The TA for this application follows established procedures and the methodology is also accepted. Subject to the above highway interventions to enable and encourage active travel modes and to provide accessible footways and pedestrian crossing points there would be no objection in principle to the proposals.</p>
3.16.8	<p>Traffic and Transportation requires that an off-site highway scheme is submitted to the LPA for approval and that this is provided to ensure that the development encourages active travel and is accessible for all. The highway scheme to be submitted must include the following; The installation of pedestrian refuges and a controlled PUFFIN Crossing facility on Arrowe Road, the exact location to be determined by Highway Engineers; The provision of a No Waiting At Any Time TRO (traffic regulation order) at the site access junctions and along Arrowe Road to prevent overspill parking from impacting on neighbours. The provision of a junction improvement scheme to Arrowe Road / Arrow Brook Road as shown in drawing reference no. <b>078238 CUR 00 XX DR TP 0600 P02</b>; The provision of a new footway contiguous to and adjacent to the development on Arrowe Road including dropped kerbs and tactile paving at all junctions and access points; Any necessary upgrade and/or works to the existing drainage and streetlighting to accommodate the highway works; and, Further to the listed highway works the site is also located near to five schools; Greasby Junior and Infants, Our Lady of Pity Catholic Primary and Pre School and Brookdale Primary. Traffic and Transportation frequently receive complaints regarding safety issues connected with school parking which suggests that these schools maybe oversubscribed therefore a financial contribution for the provision of safer routes to school improvements would also be required.</p> <p>The Traffic and Transportation Team have requested that conditions relating to: Off Site Highway Works; Discharge of Surface Water; Parking and Servicing; and, Construction Management are also be considered to be appropriate to the development.</p>
3.16.9	<p>The Council's Traffic and Transportation team is in agreement with these measures and accepts that, subject to these measures, the cumulative impact</p>

	from the 8 development sites is of minimal significance to the network in terms of capacity and vehicles travelling on the network and through junctions and as such, capacity is maintained or improved by the proposed measures
3.16.10	Had the application been recommended for approval, then conditions relating to the following matters would have been suggested: highway phasing plan; details regarding management and maintenance of streets; adoption details; highway improvements; drainage details; visibility splays; parking provision; and construction management. However, further information is required to confirm detailed elements required at this stage e.g. legal agreement and specific condition wording. This information has not been received.
3.16.11	National Highways have a remit in regards to impacts to the Strategic Road Network. With regards to this site this relates to the M53. National Highways have commented on the site, that they have no objection to the proposal, this follows receipt of additional work in relation to the cumulative impact of the suite of sites submitted by Leverhulme Estates.
3.16.12	In relation to Highways and Transport matters, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, subject to the conditions suggested and the completion of a legal agreement. .
3.16.13	Representations from interested parties have been received objecting to the proposal, these have raised the following issues: Impact on physical infrastructure; local highway infrastructure/volume of traffic created by the proposal; highway access concerns; and, poor accessibility of the proposal to public transport networks. These concerns are noted, however in this instance are not considered to form a suitable reason for refusal of the application. .

<b>3.17 Ecology</b>	
3.17.1	<p>This section seeks to appraise the proposal and protect and enhance the biodiversity and geodiversity of the district, particularly in relation to its impact on habitats and protected species and, especially those areas designated as of international, national and local importance. Policies NCO1, NC1, NC7 of the Wirral UDP are relevant to this section, as is Section 15 of the NPPF, and policy WD3 of the emerging local plan. The Local Planning Authority take advice from Merseyside Environmental Advisory Service (MEAS) in relation to ecological matters. The following ecological information has been submitted in support of the planning application:</p> <ul style="list-style-type: none"> <li>• Environmental Statement (ES) - Chapter 9 Ecology) Temple, October 2022.</li> <li>• Preliminary Ecological Appraisal (PEA) Environment Bank, 2 August 2022, EB03241-AV2, Version 01.</li> </ul>
3.17.2	The ecological surveys which have been undertaken have been summarised within the submitted Environmental Statement (ES). The Ecological Impact Assessment (EclA) has been undertaken in accordance with the best practice methodology (e.g. CIEEM, 2018).
3.17.3	NPPF, Chapter 15, Paragraph 170 requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph



	<p>175 requires Local Planning Authorities to encourage opportunities to incorporate biodiversity in and around developments.</p>
3.17.4	<p><i>Habitats</i></p> <p>The UK Habitat Survey (UKHS) was carried out in mid-September 2022, although this is not considered to be a significant constraint given the limited nature of the habitats on the site which comprises predominantly of intensively managed pasture. Other habitats recorded within the site included hedgerow, gorse scrub, scattered trees and bare ground.</p> <p>Seven native hedgerows and one hedgerow with trees were identified on site, which were assessed to be in poor condition. The majority of hedgerows are to be retained, although some may need to be severed to create the site access. However, all of the hedgerows were species poor and were dominated by either hawthorn or blackthorn.</p>
3.17.5	<p><i>Amphibians</i></p> <p>An eDNA analysis for the presence of great crested newt was undertaken of 5 waterbodies near to the site and the results of this testing were negative. However, it was advised that the applicant provide the eDNA results from the testing laboratory prior to determination for verification purposes.</p> <p>The PEA states that negative eDNA results of surveyed ponds, and the lack of historical records with connectivity to the site suggest that the occurrence of Great Crested Newts (GCN) in the local area is low to absent and this is accepted, subject to the results from the eDNA testing laboratory being provided. The applicant has not provided this information.</p> <p>As a precaution, It is advised that the undertaking of the following Reasonable Avoidance Measures (RAMs) during the construction phase is secured by a suitably worded planning condition (alternatively these can be included within the Construction and Environmental Management Plan (CEMP)), should the application be approved.</p>
3.17.6	<p><i>Bats</i></p> <p>Regarding bats, of the trees present on the site, one mature sycamore was identified as having low bat roost potential (TN8) (location given on Figure 8.4 of the PEA report). Potential roosting features were found to be absent on all of the other trees assessed on the site and they were categorised as providing negligible bat roost potential. However, it is anticipated that this tree will be retained as the plans are currently envisaged and therefore no further survey of the tree is required at this stage. However, if the plans were to change and the tree will be impacted, mitigation will be required in line with Collins (2016).</p> <p>Habitats on, and adjacent to, the site may provide foraging and commuting habitat for bats. Lighting for the development may affect the use of this/these areas. A lighting scheme can be designed so that it protects ecology and does</p>

	not result in excessive light spill onto the habitats in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition
3.17.7	<p><i>Breeding Birds</i></p> <p>Vegetation on site may provide nesting opportunities for breeding birds, which are protected and UDP policy NC7 applies. A planning condition is required (alternatively this could be included within the CEMP Condition).</p>
3.17.8	<p><i>Non-breeding Birds</i></p> <p>During the non-breeding bird survey undertaken from September 2021 to March 2022, no qualifying bird species or farmland birds were recorded within the site. The survey only encompassed one year, although this is considered to be acceptable on this occasion due to the sub-optimal nature of the site for qualifying bird species. The survey enables the conclusion to be made that the application site is not functionally linked to internationally designated sites.</p>
3.17.9	<p><i>Terrestrial Mammals</i></p> <p>Habitats on site were also considered to be suitable for badger and hedgehog, although none were observed during the course of the ecological surveys. Badger is a protected species, whilst hedgehogs are a Priority Species and UDP policy NC7 applies, and Policy WD3 of the emerging Local Plan.</p> <p>The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them: A pre-commencement check for badger and hedgehog; All trenches and excavations should have a means of escape (e.g. a ramp); Any exposed open pipe systems should be capped to prevent mammals gaining access; and Appropriate storage of materials to ensure that mammals do not use them. These measures can be secured by a suitably worded planning condition or can be included within the CEMP, should the application be approved.</p> <p>In order to maintain habitat connectivity for hedgehogs, hedgehog highways (13cm x 13cm gaps) should be installed into any close board fences on site. This can be secured by a suitably worded planning condition, should the application be approved.</p>
3.17.10	<p><i>Biodiversity Net Gain</i></p> <p>Paragraph 174 of the NPPF requires development to “providing net gains for biodiversity”. Regarding Biodiversity Net Gain,</p> <p>A Biodiversity Net Gain (BNG) Technical Note has been submitted in support of the application as ES Appendix 9.4 (Tyler Grange, 19 October 2022, 15267_R01b_AS_NC). The Technical Note sets out the results of the DEFRA Biodiversity Metric 3.0 calculation and provides details of the off-site locations that will be enhanced to ensure that a biodiversity net gain can be achieved.</p> <p>The Technical Note is based upon an updated extended phase 1 habitat survey undertaken in September 2022 of both the application site and proposed off-site compensation area. The proposed off-site locations are given in Appendix 3 of the Technical Note. The existing baseline value of the site was found to equate to 22.03 biodiversity units, post-development this would reduce to 12.44 biodiversity units. The value of the proposed off-site receptor location (which</p>

	<p>includes land adjoining onto Greasby Copse and Ponds Local Wildlife Site (LWS) to the south) equates to 14.97 biodiversity units.</p> <p>Within the site, enhancement measures proposed include wildflower planting. The offsite measures include wildflower meadow creation, neutral grassland enhancement, woodland creation and enhancement, native hedgerow creation and enhancement and ditch enhancement.</p> <p>With the undertaking of the above measures, the DEFRA Biodiversity Metric 3.0 has calculated that the proposed development and suggestion mitigation in the off-site areas would result in a net gain of 19.09 habitat units (equating to a 86.6% net gain) and of 2.11 hedgerow units (equating to a 45.26% increase in hedgerow units).</p> <p>The long-term management of the off-site area for biodiversity (for a minimum 30-year period), will need to be secured. This could be achieved through a s106 agreement. If the Council was minded to grant consent, it is also advised that the DEFRA Biodiversity Metric should be updated to the latest metric version (currently 3.1) at the reserved matters stage. A Landscape and Ecological Management Plan is also required, which can be secured via condition.</p>
3.17.11	<p><i>Habitat Regulations Assessment and Designated Sites</i></p> <p>The following internationally designated sites are easily accessible by car and public transport from the proposed development site, UDP policies NC1 and NC2 apply, and emerging Local Plan policy WD3:</p> <ul style="list-style-type: none"> <li>• Dee Estuary SAC;</li> <li>• Dee Estuary SPA;</li> <li>• Dee Estuary Ramsar;</li> <li>• Mersey Narrows and North Wirral Foreshore SPA;</li> <li>• Mersey Narrows and North Wirral Foreshore Ramsar;</li> <li>• Mersey Estuary SPA and</li> <li>• Mersey Estuary Ramsar.</li> </ul> <p>The proposal is for 240 residential dwellings, this will result in increased visits (recreational pressure) to the sites listed above. This may result in significant effects on habitats and species for which these sites have been designated.</p> <p>Recreational pressure from residential development has been identified as a Likely Significant Effect alone and in-combination within the Habitats Regulations Assessment (HRA) of the emerging Wirral Local Plan. Recreational pressure is also recognised in the formal statutory Conservation Advice Packages and Site Improvement Plans 2&amp;3 as Medium-High risk to qualifying features of the national and international sites.</p> <p>The applicant has submitted a shadow HRA report in support of the planning application (Environment Bank, 23 September 2022, EB03130.10, version 2). Regarding recreational pressure effects, the shadow ALSE concludes that proposed development is unlikely to lead to significant recreational pressure effects alone and this is accepted. However, it concedes that there is potential for likely significant effects as a result of the increased recreational pressure on the internationally designated sites in-combination with the quantum of housing development proposed within Wirral.</p>

	<p>Regarding qualifying bird species, none were recorded on the site during the nonbreeding bird survey. It is therefore accepted that the application site is not functionally linked to the above internationally designated sites.</p> <p>The shadow HRA concludes that, with the implementation of the following mitigation, there will be no adverse effects on the integrity of the internationally designated sites:</p> <ul style="list-style-type: none"> <li>• areas of greenspace provided within the development including new footpaths within and around the site, and a new cycle superhighway which will be created as part of the wider Leverhulme Vision will pass through the centre of the site;</li> <li>• creation of a bespoke Site of Alternative Natural Greenspace (SANG) 3.5 km (approximately 70 minute walk or 9 minute drive) south of the site on the eastern edge of Pensby; and</li> <li>• production and implementation of an information pack for each new resident.</li> </ul> <p>However, having considered the above mitigation proposed, it is not considered that it adequately addresses the potential in-combination effects which will arise. Even with the provision of a bespoke SANG, it is considered that residents of the proposed new development will still desire to visit the Wirral coast for recreation. Also, MEAS raised concerns as to whether the bespoke SANG provides sufficient SANG functions.</p> <p>Therefore, to ensure that recreational pressure effects will be adequately mitigated, a commuted sum payment will be required in addition to the above mitigation measures</p> <p>The commuted sum would be used by the Council for undertaking Site Access Management and Monitoring measures (SAMMs) within the designated sites, such as managing footpaths and providing signage and interpretation. An appropriate commuted sum figure will require agreement with the Council prior to determination. This agreement is necessary to enable the Appropriate Assessment to be undertaken.</p> <p>With the recent Regulation 19 Local Plan consultation, Wirral Council has published an Interim Approach to Avoid and Mitigate Recreational Pressure in Wirral (May 2022, version 2). This proposes a commuted sum figure of £280.26 per dwelling, which would provide adequate mitigation.</p> <p>The application site is near to the following locally designated sites and UDP policy NC5 applies:</p> <ul style="list-style-type: none"> <li>• Arrowe Park LWS;</li> <li>• Greasby Copse and Ponds LWS;</li> <li>• Arrowe Brook Farm Ponds LWS; and</li> <li>• Upton Bridge Wood LWS.</li> </ul> <p>The PEA and EclA consider that with the implementation of a CEMP and provision of Public Open Space within the development site, adverse impacts upon the locally designated sites are unlikely and this is concurred with.</p>
3.17.12	<p>The applicant has not confirmed that they are willing to opt-in to the above measures or undertake their own bespoke assessment and mitigation. This agreement, and confirmation on what the commuted sum will be used for, will be necessary to enable the Appropriate Assessment to be undertaken. Regarding the Appropriate Assessment, the applicant should clarify whether they intend to complete this themselves, a notification of this has not been received.</p>

3.17.13	As mentioned above, full survey reports have not been provided which are required prior to determination, therefore insufficient information has been received to assess the proposal in relation to ecology and biodiversity matters. The proposal is therefore considered to not be compliant with the relevant policies in the Development Plan (Particularly Policies NCO1, NC1, NC3, NC4, NC7), the NPPF, and with those in the Emerging Local Plan.
3.17.14	Representations have been received from interested parties including an objection from Natural England, regarding Ecology and Biodiversity matters, including the impact of the proposal on wildlife, protected and non-protected species; inadequate biodiversity mitigation; impact on designated ecological sites and watercourses. It is considered that these have some merit, overall it is considered that insufficient information has been submitted to appraise ecology and biodiversity matters in full,

<b>3.18 Archaeology</b>	
3.18.1	This section seeks to appraise the proposal against the impact this may have on nearby archaeological heritage assets, both designated and non-designated assets. Policies CHO1, CH25 of the Wirral UDP are relevant to this section, as is section 16 of the NPPF. MEAS have provided comments to help compile this section of the report and provide advice on archaeological matters to the Council. The applicant has also submitted an Environmental Statement and Heritage Impact Assessment, which have relevance to this section.
3.18.2	<p>The ES Volume 2 Chapter 8 Archaeology and Heritage acknowledges the presence of known and potential archaeological remains and the potential for the proposed development to impact on these remains (Section 8.4).</p> <p>However, of particular concern Section 8.5.4 suggests that the significance of the known remains of the recently investigated enclosure of probable medieval origins (Philpott 2022) is of Medium significance i.e., Regional/Local (Table 8.1).</p> <p>The archaeology consultee does not agree with this assessment. Based on the results of the evaluation of the enclosure site (Philpott 2022) they are of the opinion that this site is of at least High (National/Regional Value) as presented in Table 8.1. Furthermore, pending further investigation to prove its origins as an extremely rare feature of early medieval date, this site could be deemed to be of a significance equivalent to a scheduled monument as per NPPF (2021) footnote 68 which reads “Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.”</p> <p>The chapter also incorrectly states that remains relating to medieval agricultural activity would be of low importance. This should more correctly state High Regional importance given the association with the enclosure site. Section 8.5.7 attributes low significance to unknown archaeological remains. It is questioned</p>

how the significance of unknown remains can be determined prior to investigation.

Appendix 8.1 Heritage Impact Assessment (SLR October 2022, Ref: 406.10133.00002) also incorrectly states that remains relating to medieval agricultural activity would be of low importance (Section 92) but correctly recognises the presence of known archaeological remains within the eastern half of the site (Section 8.7).

Of particular interest, Section 74 discusses the results of a geophysical survey of the site (Magnitude Surveys July 2022). The survey results concur with the results of the evaluation (Philpott 2022), indicating the presence of a number of archaeological features which may represent settlement activity in the eastern area of the Site.

There are four non-designated heritage assets recorded on the Merseyside Historic Environment Record (MHER) within the proposed development site: MME21501 – Worked lithics and a Mesolithic blade; MME21502 – Two sherds of Roman pottery; MME21503 – Post-medieval pottery; and MME647 - An enclosure sub-divided by a cross ditch.

MME647 was subject to an archaeological evaluation (Philpott 2022). This “presents very good evidence for a date for the enclosure at least in the early medieval period, if not earlier, from the evidence of vertical stratigraphy.” (Philpott 2022).

The North West Historic Environment Research Framework observes ‘the number of confirmed early medieval rural settlement sites is still very small’ <https://researchframeworks.org/nwrf/>.

In addition to the heritage assets within the site, the proposed development site lies in an area rich in archaeological evidence including prehistoric artefacts such as worked flint (MME494, MME495 and MME496) and a Mesolithic pit with flints (MME16033). Finds from other periods include Roman coins (MME492 and MME491) and a field system and trackway with possible medieval origins (MME21504). Undated features include a possible cropmark (MME640), possible wayside cross fragment (MME11346).

Based on the information provided and the potential high value of the archaeology, a programme of archaeological works is required to be undertaken

	<p>across the site prior to determination. The Written Scheme of Investigation for the programme of works should be agreed in advance with the Council.</p> <p>The submittance of the information prior to determination is necessary to investigate the origins and value of the archaeological remains on this site, which could be of High importance. Once this is established then mitigation works can be considered (if possible and appropriate).</p>
3.18.4	Therefore, it is advised that the applicant be required to undertake a programme of archaeological work.
3.18.5	An appropriately qualified and experienced archaeologist should produce the Archaeological Written Scheme of Investigation (WSI). A contingency for further archaeological works as warranted by the investigation results should be included. The WSI must be approved in writing by the Local Planning Authority prior to commencement of the archaeological works.
3.18.6	In relation to archaeological matters, due to insufficient information to make an assessment being submitted, the proposal is therefore not considered to be compliance with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan.
3.18.7	A number of comments have been received in relation to the impact the proposal may have on archaeological assets. These comments have been considered and are noted.

<b>3.19 Drainage and Flood Risk Matters</b>	
3.19.1	This section seeks to appraise the proposal in the context of flood risk and drainage matters. Chapter 14 of the NPPF forming the national planning policy context, Policies WA2, WA5, WAT2. The applicant has submitted the following: Environmental Statement; Flood Risk and Drainage Strategy; and, a Design and Access Statement.
3.19.2	The National Design Guide (September 2019) is also relevant to this element of the report, particularly the section relating to 'resources. In relation to 'resources' the National Design Guide states "Well designed places: have a layout, form and mix of uses that reduces their resource requirement, including for land, energy and water; are fit for purpose and adaptable overtime, reducing the need for redevelopment and unnecessary waste; use materials adopt technologies to minimise their environmental impact"
3.19.3	Consultation has taken place in relation to surface water drainage with the Lead Local Flood Authority (LLFA) and, as well as consultation with the Environment Agency (EA), and United Utilities who have differing remits with regards to Flood Risk, Drainage and Water related matters.
3.19.4	The Lead Local Flood Authority have raised objection to the development. The application lies within Flood Zone 1 defined by the Planning Practice Guidance as having a low probability of flooding. However the proposed scale of development may present risks of flooding on-site and/or elsewhere if surface water run-off is not effectively managed. There are flooding incidents in the vicinity of the development and the impact on flood risk off-site as a result of the development, have both not been addressed by the FRA. The lack of

	<p>information in relation to surface water management and sustainable drainage proposals means the Lead Local Flood Authority cannot assess whether the development proposal fulfils the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework, Technical Standards for Sustainable Drainage Systems, or the 'Flood Risk and Coastal Change' section of the Planning Practice Guidance. The submission of basic information on how surface water is intended to be managed is vital if the local planning authority is to make informed planning decisions. In the absence of this information, the surface water flood risk resulting from the proposed development is unknown and this is therefore sufficient reason in itself for a refusal of planning permission. United Utilities have also commented that they have no objection, subject to condition. The EA have commented that the proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk with the imposition of a condition.</p>
3.19.5	<p>Following consideration of the responses of consultees, it is not considered that the application has demonstrated that appropriate flood risk, drainage and water related matters can be successfully achieved on site, insofar as expected with an outline planning application. It is considered that insufficient evidence has been provided to show that the proposed development would not increase the risk of flooding to the area.</p>
3.19.6	<p>The proposal is therefore considered to be in conflict with the NPPF, and with those policies in the emerging Local Plan in relation to surface water drainage matters.</p>
3.19.7	<p>A number of comments have been received in relation to the impact the proposal may have on physical infrastructure, including local foul and surface water drainage networks, and the potential to overwhelm these, as well as comments regarding the impact of the proposal on water supplies and watercourses. These comments have been considered and are noted. As can be seen from the appraisal in this section, the impact of the proposal on the foul and surface water drainage networks have been taken into account during the consideration of this planning application.</p>

<b>3.20 Waste Matters</b>	
3.20.1	<p><u>Construction Waste Management</u></p> <p>The proposal is a major development and involves excavation and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.</p> <p>In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.</p>
3.20.2	<p><u>Waste Storage and Collection</u></p> <p>The proposal is a major development and involves excavation, demolition and construction activities which are likely to generate significant volumes of waste. Policy</p>



	WM8 of the Merseyside and Halton Waste Joint Local Plan, the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply.
3.20.3	These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal. In accordance with policy WM8, the requirement for a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved The Planning Statement (Strutt & Parker May 2022) indicates parts 1-3 of policy WM9 will be implemented within in the design. This is welcomed and should be secured by a suitably worded condition.

<b>3.21 Sport and Recreation Matters</b>	
3.21.1	The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity offsite. The level and nature of any provision should be informed by a robust evidence base such as an up-to-date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment. In this case Wirral has an up to date Playing Pitch Strategy and Outdoor Sport Strategy (PPOSS) 2021 and this has been used to help inform this response. In accordance with Section 8 of the NPPF, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development. Sport England have provided comment on the scheme indicating that s106 contributions are required however this is in the context of the 8 applications submitted by Leverhulme (OUT/22/00941, OUT/22/00942, OUT/22/00943, OUT/22/00944, OUT/22/00945, OUT/22/00946 and OUT/22/00947, which have been refused permission).
3.21.2	Of the sites submitted for consideration by Leverhulme Estates, only application (OUT/22/00946) makes provision for outdoor sports provision on site, but there is no information submitted to demonstrate how the provision of two pitches (type unknown) has been developed, and what evidence of need has informed the proposal. As noted, these other applications have also previously been refused.
3.21.3	The cumulative impact across all applications provides no detailed information in relation to formal sports facilities, indoor or outdoor, and therefore Sport England objects to this application as it is not compliant with NPPF or saved UDP Policy URN2.
3.21.4	Sport England have commented that they would be pleased to review the objection with a view to potentially withdrawing their objection when they have received: <ul style="list-style-type: none"> <li>• Details of any off site outdoor sport and indoor sport enhancements to meet the additional demand arising from the development. Sport England's Strategic Planning Tools show this development is estimated to generate additional demand equating to approximately 1 pitch equivalent, 1 additional changing room, 47 additional visits per week to sports halls and 37 additional visits per week to swimming pools. A Section 106 Agreement to secure the contribution with a condition or Section 106 Agreement with a clause for a Sports Strategy to provide the detail of what needs to be provided when, where, and how is required; and,</li> </ul>

	<ul style="list-style-type: none"> <li>• Details as to how the proposal has incorporated the 10 principles of Active Design into the overall design of the development as sanctioned by BREEAM in collaboration with Sport England. A Condition requiring an Active Environment Strategy is suggested.</li> </ul> <p>Sport England state that if the Local Planning Authority are minded to approve this and the other applications then two conditions are strongly recommended relating to a Sports Strategy and Active Environment Strategy, however this is not in place of a legal agreement defining contributions and other relevant matters.</p>
3.21.5	Given the commentary above, the proposal is not considered to accord with relevant sections of the development plan in relation to sports provision both indoor and outdoor, taking into account relevant material considerations and the provisions and intentions of the NPPF; and emerging Local Plan, where this can be given weight. The applicant has not agreed to a contribution in a draft s106 agreement.
3.21.6	Representations have been made from interested parties regarding impact the proposed dwellings will have on community facilities and physical infrastructure, which may include sports facilities, such as those referred to in this section. These comments are noted.
3.21.7	It is noted that the applicant has queried the methodology by Sport England, at the time of writing this report this matter is unresolved.
3.21.8	The proposal is therefore considered to not be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan in relation to matters relating to relevant planning obligations in relation to this application.

<b>3.22 Open Space</b>	
3.22.1	The occupiers of new development, especially residential, will generate demand for open space provision and child place space. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies there is therefore a requirement for open space provision to be secured with the proposal.
3.22.2	UDP Policy GR6 (Greenspace Within New Family Housing Development Proposals) states that new family housing 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 and will be required within this overall requirement, to make specific provision for safe children's play. Greenspace provided under Policy GR6 should be accessible public open space, clearly set out for the purpose of visual amenity and local recreation.
3.22.3	Policy RE11 (Criteria for Children's Play Facilities) states the Local Planning Authority 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.
3.22.4	It is understood that this proposal includes Accessible Open Space 2.43ha, including Neighbourhood Play Area of 0.14 ha. Above policy requirement of

	2.14ha for open space. This would be a matter secured by way of condition and/or legal agreement.
3.22.5	Subject to suitable conditions and/or legal agreement to deliver required level of external amenity space and child place space, including the ongoing maintenance of play facilities, it is considered that a sufficient level of external amenity space (qualitative and not necessarily quantitative) and child play space would be delivered and ensure high quality living conditions are achieved for all age groups in accordance with the overarching aspirations of Policy GR6.

<b>3.23 Section 106 Matters</b>	
3.23.1	When considering the potential content of a legal agreement regard must be had to the tests set out in the Community Infrastructure Levy Regulations. By law, the obligations can only constitute a reason for granting planning permission if they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. It is standard practice with applications where S106 contributions are likely to be required for the applicant/agent to provide a draft head of terms, with their submission. The relevant development plan policy in relation to S106 matters is Policy URN2 of the UDP. A draft S106 heads of terms has not been provided in this instance.
3.23.2	Contributions/Provisions for the following would be secured should the application be recommended for approval: <ul style="list-style-type: none"> <li>• Off-site highway improvements;</li> <li>• Sports facilities/pitch provision;</li> <li>• Education contribution/facility;</li> <li>• Affordable housing;</li> <li>• Open space provision;</li> <li>• Off Site Ecological Impacts</li> </ul>
3.23.3	The expected Affordable Housing contribution is discussed elsewhere in this report, however, to summarise a contribution of 20% is required to relevant affordable housing policy in relation to this scheme, with the applicant offering 30% affordable housing within the scheme.
3.23.4	There is a known shortfall of school places within the area which the application would serve.
3.23.5	In the absence of a recommendation for approval, the LPA has not sought to engage with the applicant on the formal agreement of the S106 agreement.
3.23.6	Representations have been received in relation to the impact the proposal may have in relation to physical and community infrastructure. It is considered that these comments have some merit.
3.23.7	The proposal is therefore considered to not be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan in relation to matters relating to relevant planning obligations in relation to this application.

<b>3.24 Climate Change</b>	
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3.24.1	It is important that any development takes into account the effects of climate change and seeks to mitigate these. NPPF paragraph 150 states that to ensure that risks from climate change can be managed, suitable adaptation measures should be adopted, including through the inclusion of green infrastructure and the use of renewable and low carbon energy where appropriate. A range of measures have been referred to through the suite of documents submitted by the applicant including both physical and non physical design approaches, and various mitigation measures e.g. sustainable drainage features
3.24.2	Representations have been received relating to the proposals impact on climate change, including but not limited to, the proposal being contrary to the national and international 'climate change' and 'green' agenda; the potential urban heat island of the proposal; as well as other matters covered elsewhere in this report.
3.24.3	Whilst some matters e.g. physical and non-physical design, biodiversity matters, flood risk and drainage matters, have been considered by the applicant and could be secured either through an outline permission, associated conditions/legal agreement to mitigate for the impacts of climate change, the introduction of a major scheme such as this adjacent to the settlement edge of the Wirral has significant disadvantages. This is particularly apparent when compared with schemes within the urban fabric of the borough. These include, but are not limited to, decreased access to sustainable transport modes (e.g. bus, walk, cycle) as well as increased reliance on the private car for a larger number of the residents. Further to this, this site will see an increase in land in urban use from being a undeveloped, agricultural 'green field' site.

<b>3.25 Other Matters</b>	
3.25.1	Representations have been received in relation to the lack of information and quality of information provided in relation to the scheme as part of this application. These comments are noted and can form a reason for refusal in its own right. Although the proposal is outline, with details intended to be provided at a later date, a wide range of information is expected to be provided throughout the outline application scheme to demonstrate the application is acceptable in principle, such as that requested by consultees. It is for the applicant to do this through the application, both with the information they submit initially and that submitted through the gestation period of the application. In relation to a number of areas e.g. Landscape, Ecology, Highways and Transport, Satisfactory information has not been forthcoming from the applicant/agent. This absence of satisfactory information has in part informed some of the recommended reasons for refusal of the scheme.
3.25.2	Comments regarding the inflationary impacts of development, impacts on views and the quantum of comments have been received, as well as the impact the proposals may have on the 'Lever' legacy in Wirral, and the motives of the landowner/developer/applicant. Whilst these comments are noted, these are not considered to be matters that are material to the consideration of a planning application.
3.25.3	Comments have been noticed as to the potential for the schemes to cause social inequality across the borough. These comments are noted; however, each application needs to be considered on its own merits.

3.25.4	Concerns have been raised regarding issues regarding the ability for representations to be made to the council. It is understood that this was a temporary issue and has subsequently been resolved.
3.26.5	A broad range of representations have been received in relation to this application, these comments have been considered, and noted.

<b>Conclusion</b>	Having regards to the individual merits of this application the decision to refuse Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice and the draft Local Plan. In reaching this decision the Local Planning Authority has considered the following:-
	<p>The proposal is considered to constitute inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.</p> <p>Whilst some benefits would arise from the proposed development including the delivery of both market and affordable housing, it is not clear whether the proposed scheme would be likely to be delivered within five years to contribute towards the Council's immediate housing land supply position. It is not deemed that the benefits put forward by the applicant form very special circumstances.</p> <p>The fundamental aim of the Green Belt is to prevent urban sprawl by keeping the land permanently open and to direct new investment into the urban area rather than restricting housing supply. The Council is not proposing to change any Green Belt boundaries through the emerging Local Plan and the Government in re-stating the long term established approach in previous policy stresses the importance of the Green Belt and makes it clear that permanence and openness are essential characteristics.</p> <p>The proposed development is not acceptable in principle and would adversely affect the character and appearance of the area, would result in the loss of best and most versatile agricultural land. Further to this it is considered that the proposed development would create urban sprawl, it would encroach into open countryside and it would undermine urban regeneration and the re-use of derelict and other urban land both in its own right and as a result of setting an undesirable precedent that would perpetuate unsustainable patterns of development throughout the Borough.</p> <p>Further to the above, insufficient information has been submitted in support of the application in respect of ecological, archaeological, and surface water drainage matters, and the provision for sport and recreation. It has therefore not been demonstrated that impacts from the proposal can be adequately mitigated for.</p> <p>In addition, a satisfactory S106 agreement has not been provided in relation to the following matters: Off-site highway improvements; Sports facilities/pitch provision; Education contribution/facility; Affordable housing; Health Facilities/contribution; Open space provision; Recreational provision; Employment and skills</p> <p>Overall, the permanent harm caused to the Green Belt by reason of inappropriateness, and the other identified harm, would not be clearly outweighed by the other considerations, either separately or cumulatively. Consequently, the very special circumstances necessary to justify the development do not exist.</p>

	The proposal would conflict with the above identified policies of the UDP and the development plan as a whole. There are no other considerations which outweigh this finding.
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<b>Recommended Decision:</b>	<b>Refuse</b>
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**Recommended Reasons:**

1. The site lies in an area of Green Belt where the siting of new dwellings is considered to be inappropriate development, which is by definition harmful to the Green Belt. The proposal would be contrary to the core planning principles within the NPPF of protecting the Green Belt, preventing urban sprawl and recognising the intrinsic character of the countryside. There are no very special circumstances that would outweigh the harm and detrimental impact of the proposal upon the openness of the Green Belt and so development is therefore contrary to the provisions of Policies URN1 (General Principles and Urban Regeneration) and GB2 (Guidelines for development in the Green Belt) of the Wirral Unitary Development Plan (Adopted February 2000) and Section 13 of the National Planning Policy Framework
2. The proposed dwellings would represent an imposing and obtrusive urban built form of development and urban encroachment into this attractive undeveloped countryside/ rural landscape location, which would detract from and have a permanent detrimental impact upon the natural rural character and appearance of the site and setting of this particular part of the open countryside and Green Belt. As such the proposal therefore fails to accord with the advice set out in the NPPF on the basis that it fails to conserve and enhance the natural character and appearance of this part of the open countryside and it would adversely affect the intrinsic character and beauty of this part of the countryside contrary to the National Planning Policy Framework, and Policies URN1, LA7 Wirral Unitary Development Plan (Adopted 2000).
3. By reason of its extent and depth beyond existing development, and the proposed indicative layout, the proposed development would have a detrimental impact on the character and appearance of the countryside, and settlement of Greasby. The development would also result in the loss of Grade 2 and 3a 'Best and Most Versatile' agricultural land, with no public benefits present to override the need to protect the land. The proposal is therefore contrary to Section 15 of the National Planning Policy Framework and Policies AGR1, AG1, AG2 of the Wirral Unitary Development Plan (Adopted 2000).
4. Insufficient information has been submitted in support of the application in respect of ecological impact of the proposal. The application fails to demonstrate how it would protect and enhance the biodiversity and geodiversity of the borough, especially those areas designated as of international, national and local importance, due to a lack of information submitted. It has therefore not been demonstrated that there would be no unacceptable harm to any protected species, wildlife diversity and protect ecological sites and as such the development would be contrary to the provisions of the Chapter 15 of the National Planning Policy Framework and Policies NCO1, NC1, NC3, NC4, NC7 of the Wirral Unitary Development Plan (Adopted 2000).
5. The provision for sustainable and active travel modes have not been satisfactorily supported within the proposals and as a consequence it is considered that the development will become car dominated and vehicles become the primary choice of travel. As such the proposals are in conflict with TRT1, TRT3 and TR11 of the Wirral Unitary Development Plan (Adopted 2000) and the National Planning Policy Framework.
6. There is the potential for the development to impact a potential heritage asset with potential archaeological interest however, insufficient archaeological evaluation of the development site has been undertaken and submitted in support of the application. It has therefore not been demonstrated that there would be no unacceptable harm to the potential heritage asset, and as such the development would be

contrary to the provisions of Section 16 of the National Planning Policy Framework and CHO1, CH25 of the Wirral Unitary Development Plan (Adopted 2000).

7. The proposed drainage system does not meet the required minimum standards for sustainable drainage and therefore is contrary to national planning policy and guidance contained within the National Planning Policy Framework. As such the proposal is in conflict with Section 14 of the National Planning Policy Framework and Policy WA5 of the Wirral Unitary Development Plan (Adopted 2000).

8. A Section 106 Agreement has not been completed to secure the following facilities/contributions/details, which are considered necessary to mitigate the impacts of the proposed development:

- Off-site highway improvements
- Sports facilities/pitch provision
- Education
- Affordable housing
- Open Space and Play provision
- Off Site Ecological Contributions

This would be contrary to Policy URN2 of the Wirral Unitary Development Plan and Paragraphs 55-58 of the National Planning Policy Framework

<b>Expiry Date:</b>	15-February-2023
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### Appendix 1: Analysis of Very Special Circumstances

The applicant considers that the following are very special circumstances that cumulatively span across the whole suite of applications submitted by Leverhulme Estates:

<b>Very Special Circumstance Posed by applicant</b>	<b>Officer analysis</b>
Following a 'Planned (and Plan-led)' Approach;	Not a formally considered plan, and development would be contrary to existing UDP policy and to the emerging Local Plan that is being progressed by the local planning authority.
Effective Housing Delivery;	The Council can demonstrate a five-year housing land supply, and has a supply of sites through the emerging local plan.

Green Belt Management - 'Responsible release of Green Belt Land'	Contrary to the emerging Local Plan that is being progressed by the local planning authority. Adequate Housing Land Supply can be demonstrated through the council's five-year housing land supply assessment and the emerging Local Plan.
Environmental Enhancements Package	Benefit of the scheme, but not a Very Special Circumstance.
Leverhulme's long term stewardship	Good Planning and should be aspired to in any housing development.
Contribution to Wirral's 5 Year Housing Land Supply	The Council can demonstrate a five-year housing land supply and has a supply of sites through the emerging local plan.
Biodiversity Net Gain 20% across the sites	Good Planning and should be aspired to in any housing development.
Provision of a Site of Alternative Natural Green Space (SANG) Including 22.7ha of Land (Circular Walk of 3.5km and Parking Provision	Benefit of the scheme, but not a Very Special Circumstance.
Long term stewardship through the design charter	Good Planning and should be aspired to in any housing development.
Locally Specific House Types	Good Planning and should be aspired to in any housing development.
Open Space Provision in excess of Wirral's Latest Open Space Standards	Benefit of the scheme, but not a Very Special Circumstance.
Walkable Neighbourhoods	Good Planning and should be aspired to in any housing development.

The posed very special circumstances of this particular scheme as presented by the applicant, are considered to be:

<b>Very Special Circumstance Posed by applicant</b>	<b>Officer analysis</b>
Contribution to housing supply	The Council can demonstrate a five-year housing land supply, and has a supply of sites through the emerging local plan.
Affordable Housing Provision @ 30% (10% above policy requirement) on site provision	Benefit of the scheme, but not a Very Special Circumstance.
Provision of Cycle Super Greenway	Good Planning and should be aspired to in any housing development.
Community Facilities / Sports Pavillion	Good Planning and should be aspired to in any housing development.
Accessible Open Space 2.43ha, including Neighbourhood Play Area of 0.14ha. Above policy requirement of 2.14ha for open space	Benefit of the scheme, but not a Very Special Circumstance.
Expansion to School Pitches	Benefit of the scheme, but not a Very Special Circumstance.
Sports Pitches and Pavillion	Benefit of the scheme, but not a Very Special Circumstance.



'Park and Stride' Car Park and connecting route to schools;	Benefit of the scheme, but not a Very Special Circumstance.
Expansion to Local Centre (including public realm improvements)	Benefit of the scheme, but not a Very Special Circumstance.
Woodland, Tree and Hedgerow Planting	Good Planning and should be aspired to in any housing development.
Additional Highway Improvements	Good Planning and should be aspired to in any housing development.

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