



Planning Sub-Committee

Date:	Tuesday, 3 December 2019
Time:	6.00 p.m.
Venue:	Committee Room 1 – Wallasey Town Hall

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AGENDA

1. MINUTES (Pages 1 - 4)

To approve the accuracy of the minutes of the meeting held on 7 November 2019.

2. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

3. EMERGING WIRRAL LOCAL PLAN - WORKING DRAFT POLICIES: BUSINESS AND INDUSTRY (Pages 5 - 14)

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PLANNING SUB-COMMITTEE

Thursday, 7 November 2019

Present:

Councillor S Kelly (Chair)

Councillors	G Davies	S Kelly
	S Foulkes	I Lewis
	A Gardner	G Watt
	S Hayes	S Whittingham

Apologies

Councillors	S Frost	A Leech (ex-Officio)
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10 MINUTES

The Director of Governance and Assurance submitted the minutes of the meeting held on 1 October 2019 for approval.

Resolved – That the minutes of the meeting held on 1 of October 2019 be approved.

11 MEMBERS CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the committee were asked whether they had any personal or prejudicial interests in connection with any application on the agenda and, if so, to state the nature of the interest.

No declarations of interest were made.

12 EMERGING WIRRAL LOCAL PLAN - WORKING DRAFT POLICIES: SUSTAINABLE DEVELOPMENT, TRANSPORT AND HERITAGE

POLICY CS42 – PROTECTION OF HERITAGE ASSETS

The Interim Corporate Director for Economic and Housing Growth reported upon the initial working draft policies for residential development including Strategic Sustainable Development, Transport and Heritage Assets as outlined within the appendix to the report.

A report from 'Conservation Areas Wirral' had been submitted to the Committee and representatives attended to give a verbal presentation on the organisation's advice and wishes regarding the emerging Wirral Local Plan. Their main concerns were that:

- there needs to be a greater symmetry between the Local Plan, NPPF and Historic England guidance;
- more relevant criteria-based, thematic or site-specific policies required to address issues in individual conservation areas; and
- management plans were out of date and seven areas were not covered.

The Interim Corporate Director for Economic and Housing Growth acknowledged that there is work to be done regarding conservation areas and welcomed the opportunity to continue working with organisations like Conservation Areas Wirral to inform the emerging Wirral Local Plan.

Members discussed the volume of work that needs to be undertaken to produce management plans for all current conservation areas in the borough and questioned if there was enough time and resources to do so before the deadline.

The Interim Corporate Director for Economic and Housing Growth indicated that he believed that management plans for conservation areas that are not covered could be completed in time despite the resource intensity it would require. He acknowledged that the majority of management plans and area appraisals had been completed in 2007 and while most of the information is still relevant it could be wise to go back to Donald Insall Associates, the consultants that worked on them originally, to update any necessary changes.

Members discussed the need to identify and grade the urgency of necessary actions regarding current conservation areas and outstanding management plans.

The Sub-Committee advised that:

1. **Reference be made to management plans and area appraisals when policies are finalised.**
2. **Officers liaise with Conservation Area Committees as part of the Local Plan consultation process.**
3. **Priorities be identified for the development of further Conservation Area Management Plans where appropriate.**

POLICY CS1C ACHIEVING SUSTAINABLE PLACES BY DESIGN - LANDSCAPING, TREES & HEDGEROWS

Members discussed the draft policies in respect of; Policy CS1C - Achieving Sustainable Places by Design – Landscaping, Trees & Hedgerows. Reference was made to the draft Tree Risk Management and Tree Strategy documents under consideration by the Environment Oversight Committee and it was felt that these documents should be referenced in the Local Plan policies.

The Interim Corporate Director for Economic and Housing Growth indicated that there was no problem with referencing documents such as the Tree Strategy within the policy and could include any information the Council deemed relevant.

Members made reference to Bristol's guidance to have new trees planted whenever a developer had to remove a tree from a development site. Members felt that a similar policy would benefit Wirral.

Members discussed the importance of being careful to plant only natively grown trees and plants where possible and to consider which trees and plants could help to improve air quality the most based on how much CO2 they were likely to absorb.

It was noted that removal of existing trees should be a last resort and that Tree Protection Orders would remain enforceable. The importance of planting the right tree in the right place was stressed by members.

Recommendation – That the working draft policies for Landscaping, Trees & Hedgerows be noted and given further consideration by officers.

POLICY CS1A – PROMOTING SUSTAINABLE DEVELOPMENT

Members discussed the draft policies in respect of; Policy CS1A – Promoting Sustainable Development.

The Interim Corporate Director for Economic and Housing Growth noted that good design was very important for producing a high quality living environment. He noted that a Design Panel made up of built environment professionals such as architects and town planners was being considered for larger projects to assist the developer to shape their plans. It was noted that the Wirral had previously employed an Urban Designer and that this was being considered as a solution to help applicants with smaller developments.

Members discussed the relevance of the Climate Emergency and the effects this should have on planning policy.

The Interim Corporate Director for Economic and Housing Growth noted that while there is some mention of environment considerations within the draft policy, a reference to the other environmental policies would make sense.

The Chair noted that currently the draft policy does not reference any environmental impacts that an application could be denied for other than visual impact.

The Interim Corporate Director for Economic and Housing Growth agreed that this aspect of the policy could be made clearer in terms of what environmental impacts would not be acceptable to the Council.

Recommendation – That the working draft policies for Promoting Sustainable Development be noted and given further consideration by officers.

POLICY CS40 – TRANSPORT REQUIREMENTS

Members discussed the draft policies in respect of; Policy CS40 – Transport Requirements.

Questions were raised regarding the authority's power to ensure bus services were provided near new developments. Members were informed that the policy could be amended to add a requirement for developers of larger projects to consult with the Highways Authority and Mersey Travel.

Recommendation – That the working draft policies for Transport Requirements be noted and given further consideration by officers.

WIRRAL COUNCIL

PLANNING SUB COMMITTEE

7 NOVEMBER 2019

TITLE	EMERGING WIRRAL LOCAL PLAN – WORKING DRAFT POLICIES: BUSINESS & INDUSTRY
REPORT OF	INTERIM CORPORATE DIRECTOR FOR ECONOMIC AND HOUSING GROWTH

1.0 REPORT SUMMARY

- 1.1 The Council is in the process of preparing policies for the emerging Local Plan, which is scheduled for submission to the Secretary of State in November 2020.
- 1.2 The Planning Sub Committee was established by Planning Committee on 18th July 2019 to make recommendations, in consultation with the relevant Overview and Scrutiny Committee, to the Cabinet on the policies that will be included in the Local Plan for the Borough.
- 1.3 A series of meetings have been scheduled to consider working draft policies for the emerging Local Plan.
- 1.4 The purpose of this meeting is for Members to consider the contents of the initial working draft policies that would include criteria for employment development, priority sectors, port related development and the protection of employment land, which are enclosed in Appendix 1.

RECOMMENDATION

1. That Planning Sub Committee considers the content of the initial working draft policies for business and industry set out in Appendix 1, and decide if there are matters that should be given further consideration by officers before reports for Cabinet are finalised.

SUPPORTING INFORMATION

2.0 REASON/S FOR RECOMMENDATION/S

- 2.1 To assist in the preparation of the Local Plan.

4.0 BACKGROUND INFORMATION

- 4.1 The Council is currently preparing its Local Plan for submission to the Secretary of State in November 2020. A key aspect of this work is the review and development of Development Management (DM) policies, which upon the adoption, will be used to determine planning applications.
- 4.2 There are a number of tasks, which include:
- 1 Reviewing existing DM policies.
 - 2 Revising these policies to ensure that they are up to date and take account of current and emerging agendas, for example, climate change.
 - 3 Writing new policies to ensure that the Council is able to effectively manage development in the Borough.
 - 4 Regularly review policies to ensure they remain relevant, up to date and represent best practice.
- 4.3 These tasks are urgent and need to be completed within the timescales set out for the submission of the Local Plan as the council is still under threat of intervention by Government if it does not meet the timescales.

5.0 FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications from this report.

6.0 LEGAL IMPLICATIONS

- 6.1 Local plans must be positively prepared, justified, effective and based on up to date relevant evidence about the economic, social, environmental characteristics and prospects for the area consistent with national policy in accordance with the Planning and Compulsory Purchase Act 2004 (as amended). The emerging Local Plan cannot be formally adopted as part of the statutory Development Plan unless it is found to be legally compliant and sound following independent examination.
- 6.2 Approval of the final Draft Local Plan will require a resolution of Council before it can be published and submitted to the Secretary of State for public examination.

7.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 7.1 This sub-committee will be supported by the Council's existing planning staff.

8.0 RELEVANT RISKS

- 8.1 If the work set out in this report is delayed, the Council may not be able to meet its timetable for submission of the Local Plan, which could result in Government intervention.

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APPENDICES

1. Initial Working Draft Policies: Business & Industry

BACKGROUND DOCUMENTS

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Planning Committee	18th July 2019
Planning Sub Committee	12th September 2019
Planning Sub Committee	1st October 2019
Planning Sub Committee	7th November 2019

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WORKING DRAFT BUSINESS & INDUSTRY POLICIES

Policy CS13 - Employment Land Requirement

A minimum of xxx hectares of land will be required to accommodate new employment development for B1, B2 and B8 and other similar employment uses between 2020 and 3035, including land within the Dock Estates.

Deliverable sites to meet these requirements are allocated at: xxx xxxx xxx xxx as shown on Local Plan Proposals Map. Priority will be given to sites that are 'market ready' for development, able to accommodate the priority sectors identified in Policy CS14 and provide employment including training for people in areas of greatest need, in line with the strategic priorities identified in the Broad Spatial Strategy (Policy CS2).

A flexible supply of employment land is needed to provide for planned growth and take account of ongoing economic and commercial challenges; changing working practices; structural changes in the local economy; and the potential for the remodelling and recycling of existing employment land and premises. Up to date information on the employment land supply will be set out in the Councils Monitoring Report.

Flagship employment areas, capable of competing for investment in the national/regional/sub-regional marketplace at Wirral International Business Park in Bromborough and at Wirral Waters will be safeguarded for future business use. High scoring sites, close to main roads and in high profile locations are also located within key employment areas at Moreton, Upton and Tranmere.

Policy CS14 - Priority Sectors

The Council will, in particular, support development that will provide for:

- higher quality, large, medium and small scale office space in Birkenhead;
- the regeneration of traditional employment areas to offer premises that modern companies need, particularly in the hinterland surrounding Wirral Waters;
- greener growth, including construction and supply chain facilities for offshore wind and the low carbon economy;
- high quality premises for key employment sectors including food; research and development; advanced technology and manufacturing; life sciences and biomedical facilities; creative and digital industries; and financial and professional services;
- digital infrastructure to support economic development;
- port-centric, distribution, logistics, maritime and heavy-engineering sectors;
- flexible managed and non-managed business space to meet the diverse needs of start-up, micro, small and medium size enterprises; and
- the provision of additional employment in sustainably accessible locations in west Wirral.

The Wirral Plan sets out how the Council will work with partners to drive economic growth and increase investment. The strategy proposes an increased emphasis on key growth sectors to build on existing local specialisms and opportunities presented by Wirral's geography, including port uses, research and development, low carbon, offshore energy, biomedical and advanced technology and manufacturing. This sectoral focus is supported by the Local Enterprise Partnership Economic Strategy and national guidance which advocates identifying and planning for new or emerging sectors as well as supporting a low carbon future.

The Wirral Employment Land and Premises Study identified the need to provide additional smaller, quality sub-assembly light manufacturing space in the range of xx to xxx square metres and new workshops up to xxx square metres, based on the anticipated future growth of small and medium sized enterprises. The study also identified a shortage of quality office space, particularly up to xxx square metres in size, to continue to support the trend in demand for smaller, higher quality serviced office suites in the region of xxxx to xxxxx square metres.

Wirral Waters is intended to deliver a further step change, with the potential to provide a series of large office buildings, supported by additional provision in and around Birkenhead Town Centre, highly accessible by public transport.

The precise pattern of demand will, however, need to be subject to continuous monitoring in partnership with Business Wirral and the Wirral Chamber of Commerce, to provide flexibility to respond to the wide variety of different requirements for different sectors and reflect changing circumstances over time.

Policy CS15 - Criteria for Employment Development

Development to provide new or additional floorspace for B1, B2, B8 and other similar uses, including conversions and changes of use, will be permitted on designated and allocated sites where proposals can be demonstrated to:

1. make effective use of existing infrastructure and contribute to the enhancement of an existing employment area; and/or
2. provide for priority sectors or activities identified in Policy CS14; and/or
3. assist in enhancing access to jobs and training for local residents, particularly within areas of greatest need; and
4. minimise the impact on surrounding uses and protect amenity, in terms of light, noise, dust, odour, traffic and other disturbance; and
5. meet the requirements of Policy CS1A.

Visually intrusive activities or those involving the handling of wind-blown materials will, in the absence of other more effective control measures, normally be required to carry out all operations, including loading, within an enclosed building to minimise the impact on neighbouring uses and the environment.

Significant new office development should first be directed towards existing centres in accordance with Policy CS29 and then to existing employment areas and other locations with easy access to high-frequency public transport corridors with good cycling and walking links, unless a proven need to co-locate with an existing facility can be demonstrated.

The Council will support new high quality employment development for B1, B2, B8 and other similar employment uses, such as industrial or construction training facilities; vehicle hire, sales and repair businesses; builders merchants; and taxi businesses on designated and allocation sites in line with the presumption in favour of sustainable development and in the interests of maintaining and increasing levels of employment and developing a sustainable local economy.

Employment development will also be brought forward through the re-development, renewal and modernisation of premises within designated and allocated employment areas and in suitable locations in town, district and local centres, subject to minimising the impact on surrounding uses and the environment.

Access to jobs and training for local residents will, wherever appropriate, be secured by negotiation in accordance with Policy CS44.

Additional guidance on the design and layout of new employment development will be set out in a relevant Supplementary Planning Document.

Policy CS16 - Criteria for Port-Related Development

Port and marine-related development requiring approval from the Local Planning Authority will be permitted within the existing Dock Estates at Birkenhead and Eastham; at Twelve Quays; along the Tranmere waterfront at Cammell Lairds; and along the Bromborough Coast; where the proposals will:

1. be well-related to the Strategic Freight Network;
2. make effective use of existing infrastructure;
3. contribute towards the reduction of greenhouse gas emissions, through the more efficient use of rail and water transport;
4. minimise the environmental impact on residential areas, including routing protocols for traffic to and from the development;
5. have no significant adverse impact on water quality or significant on designated European Sites or their supporting habitats;
6. assist in enhancing access to jobs for local residents, particularly within areas of greatest need; and

Sites for new port-related development are identified on the Local Plan Proposals Map.

The Mersey Ports Master Plan produced by the port operator anticipates a continued demand to serve a growth in port traffic, port-centric distribution and other complementary sectors. Most port-related development for storage and distribution within the existing boundaries of the Dock Estates is permitted development but some projects will require planning permission and/or other regulatory consents, including the regulatory requirements of the Marine Management Organisation. A small amount of additional wharfage is also located along the Bromborough coast which could accommodate general cargo and other port and marine related uses.

New port development is particularly liable to affect adjacent international nature conservation sites through impacts related to ship movements, dredging, water quality and additional port-related infrastructure, which can only be permitted subject to the completion of additional project-level screening and assessment. Any assessment will need to include a thorough consideration of impacts relating to construction, including any potential disturbance of sediments and hydrodynamic modelling; and operational impacts, including anticipated changes in the level and type of shipping and lorry movements and other associated impacts, as also required by the Marine Works (Environmental Impact Assessment) Regulations.

Policy CS17 - Protection of Employment Land

Land will be safeguarded within designated employment areas to create and maintain local employment and provide a range and choice of sites and premises in terms of quality, accessibility, type and size to meet the priorities identified in Policy CS2 and Policies CS4 to CS11.

Alternative uses will only be acceptable on land designated for B1, B2, or B8 or other similar employment uses where:

1. the site would not be suitable or viable for employment use including the priority sectors identified in Policy CS14; and
2. the site has been continuously and appropriately marketed for employment uses at realistic prices for a period of at least two years and the Local Planning Authority considers that a range of robust and verifiable evidence clearly demonstrates there is no reasonable prospect of the site being used for employment uses and the land should be re-allocated to meet other identified development needs in the next Local Plan review;
3. an ongoing supply of available, suitable, developable land, sufficient to meet employment needs during the plan period identified in Policy CS13 would still be retained; and
4. the uses proposed are compatible with the character of the surrounding area, would not restrict the operation of existing employment uses, would contribute toward establishing a more sustainable pattern of development and would meet the requirements of Policy CS1A; and
5. in the case of residential development, that additional housing is needed to demonstrate an ongoing 5-year housing land supply, in line with Policy CS19; and
6. in the case of main town centre uses, that the proposal has been subject to an impact and sequential test under national policy and meets the requirements of Policy CS29; or
7. the development is necessary to secure additional employment development that would not otherwise be viable to provide and criteria 4, and-6 would also be met.

Priority will be given to the protection of sites that score highly against the criteria set out in the Wirral Employment Land and Premises Study and are able to provide employment and training for people in areas of greatest need.

Designated/allocated employment areas need to be retained to provide attractive opportunities for new development and to allow existing levels of employment to be maintained and improved and existing businesses to grow and develop in a secure industrial environment without the introduction of sensitive uses that could restrict their continued operation in line with Policy CS36. Given the marked difference in land values between most types of B1, B2 and B8 development and other competing uses, it will also be particularly important to continue to protect the best and highest scoring sites for needed local employment.

The Borough's primarily industrial and commercial areas and remaining employment allocations are shown on the Local Plan Proposals Map.

Policy CS17 will protect safeguarded land, unless there is clearly no reasonable prospect that the land can be used for employment purposes. Applicants intending to seek non-employment uses on safeguarded land will be required to demonstrate that all reasonable steps have been undertaken to secure employment uses on the site including through grant aid and other public funding where available; clear evidence that continuous professional marketing at realistic values

prevailing in the area, has taken place over two years that has not generated any genuine interest for employment uses; taking account of viability and other market signals; and that the land should be re-allocated through a review of the Local Plan for a use that contribute to meeting other locally identified development needs.

The viability of employment development is recognised as an ongoing issue across the Borough through the Economic Viability Study for the Local Plan. However this has not prevented proposals for employment development from taking place and significant new developments have been and are being implemented with the benefit grant aid. Any site specific viability assessment to support evidence for considering if the land should be re-allocated to meet other needs must take account of public funding and be prepared with professional integrity and ethical standards, such those within the RICS Red Book, by a qualified practitioner and be presented in accordance with National Planning Guidance.

Policy CS17A – Land Allocated for New Strategic Employment Development

Land at xxx shown on plan x, is allocated for new strategic employment development, for delivery on the period 20xx to 20xx.

Development for B1, B2 and B8 uses will be permitted subject to Policy CS15:

Policy CS17A seeks to support the objectives for sustainable development in national policy to help build a strong, responsive competitive economy by ensuring sufficient land for employment development is available in the right place at the right time.

The evidence in the Council's Employment Land and Premises Study (approved 9th June 2018) indicates that the market is slowly returning to speculative development with most recent developments being fully sold or let before construction is completed.

National policy expects local policies & decisions to help create conditions for businesses to invest, expand and adapt, with significant weight on the need to support economic growth whilst being flexible to enable rapid response to changing circumstances.