



## Strategic Applications Sub Committee

<b>Date:</b>	<b>Thursday, 10 November 2022</b>
<b>Time:</b>	<b>6.30 p.m. or at the rise of Planning Committee (whichever is the later)</b>
<b>Venue:</b>	<b>Committee Room 1 - Wallasey Town Hall</b>

**Contact Officer:** Bryn Griffiths  
**Tel:** 0151 691 8117  
**e-mail:** Bryngriffiths@wirral.gov.uk  
**Website:** Wirral.gov.uk

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## AGENDA

- 1. APOLOGIES**
- 2. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members are asked to consider whether they have any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on the agenda and, if so, to declare them and state the nature of the interest.

- 3. MINUTES (Pages 1 - 4)**

To approve the accuracy of the minutes of the meeting held on 27 October 2022.

4. **OUT/20/01881 RIVERSIDE PARK, SOUTHWOOD ROAD, BROMBOROUGH (Pages 5 - 22)**
5. **DPP4/22/01080 FORMER MOD SITE, OLD HALL ROAD, BROMBOROUGH (Pages 23 - 40)**

#### **Terms of Reference**

Please see the end of this agenda for the Terms of Reference for this Committee

## STRATEGIC APPLICATIONS SUB COMMITTEE

Thursday, 27 October 2022

Present: Councillor S Kelly (Chair)

Councillors S Foulkes  
H Gorman  
K Hodson  
M Jordan  
P Stuart

Deputy: Councillor G Davies (for B Kenny)

### 13 APOLOGIES

Apologies were received from Councillor Brian Kenny, with Councillor George Davies deputising.

### 14 MEMBERS CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

No such declarations were made.

### 15 **OUT/22/00946 - LAND EAST OF GLENWOOD DRIVE, IRBY, CH63 1JD. OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR UP TO 290 DWELLINGS (USE CLASS C3), INCLUDING 30% AFFORDABLE HOUSING AND 10% SELF-BUILD / CUSTOM BUILD PROPERTIES; DELIVERY OF PART OF THE BOROUGH'S CYCLE SUPERGREENWAY; GREEN INFRASTRUCTURE INCLUDING SPORTS PITCHES, PLAY AREAS AND PARKLAND, WILDLIFE HABITATS AND GREEN CORRIDORS; AND OFF-SITE HIGHWAY, ENVIRONMENTAL, BIODIVERSITY AND ACCESSIBILITY ENHANCEMENTS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS)**

The Principal Planner presented the report in relation to the above application for consideration.

Alison Glascott addressed the Sub Committee on behalf of the petitioners.

Ward Councillor, Mike Collins addressed the Sub Committee.

On a motion by the Chair and seconded by Councillor S Foulkes it was:

**Resolved (unanimously) – That the application be refused on the following grounds:**

**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, landscape 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, landscape, and settlements of Irby and Thingwall. The development would also result in the loss of Grade 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 (Conserving and enhancing the natural environment) 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 the 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 NPPF (Chapter 15) 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. In addition, the submitted Transport Assessment does not adequately assess cumulative impact of the development, along with other developments, on junctions on the M53 motorway. 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. 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; and**
- 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.**

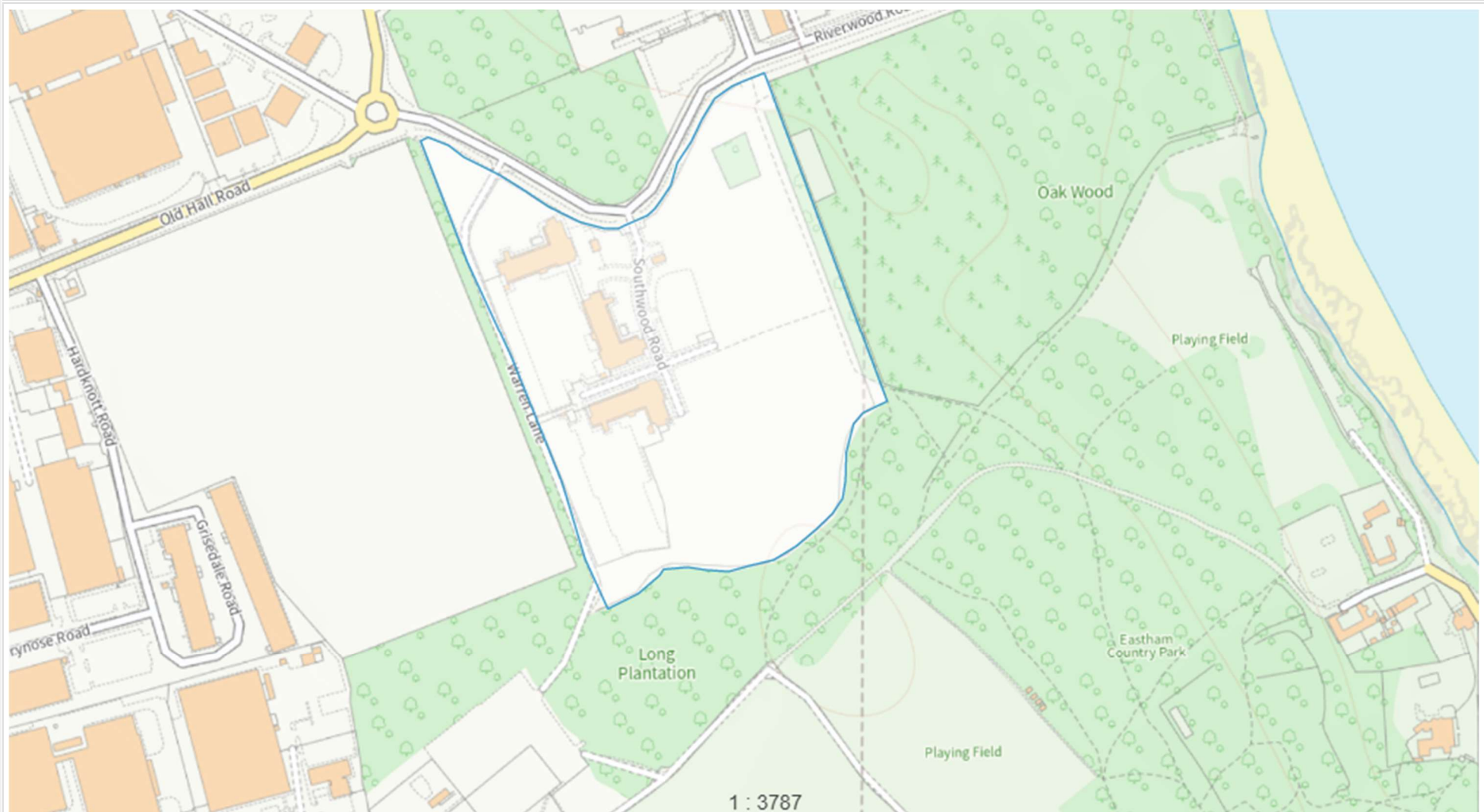
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<b>Reference:</b>	<b>Area Team:</b>	<b>Case Officer:</b>	<b>Ward:</b>
OUT/20/01881	DM	Mr N Williams	Bromborough

<b>Location:</b>	Riverside Park, SOUTHWOOD ROAD, BROMBOROUGH
<b>Proposal:</b>	Outline planning permission with all matters reserved except access proposing up to 217 residential units. The application also includes the demolition of the existing office buildings and all other associated existing infrastructure and roads (AMENDED SCHEME)
<b>Applicant:</b>	Riverside Park Ltd
<b>Agent:</b>	Pegasus Group

<b>Qualifying Petition</b>	No
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**Site Plan:**



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<b>Development Plan designation:</b>	Primarily Industrial Area
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<b>Planning History:</b>	<p>Location: East of (adj) Oil Storage Depot, Old Hall Road and south of (adj) Epichem, Power</p> <p>Application Type: Outline Planning Permission</p> <p>Proposal: Erection of residential development (dwelling houses Class C3 Use) (Outline).</p> <p>Application No: OUT/97/05324</p> <p>Decision Date: 19/06/1997</p> <p>Decision Type: Refuse - APPEAL DISMISSED 21/01/1999</p> <p>Location: Land to the south of Riverwood Road, Bromborough, Wirral, CH62 3NX</p> <p>Application Type: Outline Planning Permission</p> <p>Proposal: Erection of Use Class B1 office accommodation (outline)</p> <p>Application No: OUT/01/05862</p> <p>Decision Date: 09/07/2001</p> <p>Decision Type: Approve</p> <p>Location: Land to the south of Riverwood Road, Bromborough, Wirral, CH62 3NX</p> <p>Application Type: Reserved Matters</p> <p>Proposal: Erection of two office buildings (B1 Use Class), security and associated infrastructure works.</p> <p>Application No: DLS/01/06525</p> <p>Decision Date: 28/09/2001</p> <p>Decision Type: Approve</p> <p>Location: Land to the South of Riverwood Road, Bromborough, Wirral, CH62 3NX</p> <p>Application Type: Full Planning Permission</p> <p>Proposal: Erection of one 3 storey offices with associated roads, car park and chiller compounds</p> <p>Application No: APP/06/05056</p>
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	<p>Decision Date: 12/05/2006 Decision Type: Approve</p> <p>Location: Land to the south of Riverwood Road, Bromborough, Wirral, CH62 3NX Application Type: Full Planning Permission Proposal: Erection of two 4 storey offices with associated roads, car park, stores and chiller compounds Application No: APP/06/05054 Decision Date: 12/05/2006 Decision Type: Approve</p> <p>Location: Land to the south of Riverwood Road, Bromborough, Wirral, CH62 3NX Application Type: Full Planning Permission Proposal: Erection of two 4 storey offices with associated roads, car park and chiller compounds Application No: APP/06/05044 Decision Date: 12/05/2006 Decision Type: Approve</p> <p>Location: Building 8, Riverside Park, Riverwood Road, Bromborough, Wirral, CH62 3QX Application Type: Outline Planning Permission Proposal: Erection of four-storey office building and associated works (Outline) Application No: OUT/08/05880 Decision Date: 30/01/2009 Decision Type: Approve</p> <p>Location: Riverside Park, Riverwood Road, Bromborough, CH62 3QT Application Type: Outline Planning Permission Proposal: Outline application (access only) for a residential development of up to 75 apartments with landscaping, parking and associated works Application No: OUT/15/01129 Decision Date: 21/01/2016 Decision Type: Refuse - APPEAL DISMISSED 06/04/2017</p> <p>Location: Riverside Park, Riverwood Road, Bromborough, CH62 3QT Application Type: Prior Approval Proposal: Prior Approval for change of use of Buildings 1, 2 and 3 to Class C£ (dwellinghouses) under Schedule 2, Part 3, Class O of the General Permitted Development Orders Application No: COMX/21/00565 Decision Date: 08/10/2021 Decision Type: Prior Approval Granted</p>
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**Summary Of Representations and Consultations Received:**

<b>1. Ward Member Comments</b>	<p>Councillor Phil Gilchrist provided comments in relation to the original scheme when notified of the application in early 2021:</p> <p>“There should be an area of natural planting of native species as a buffer zone around the site. Whilst the northern boundary does take account of the pipelines/ services the southern and eastern boundaries need to take account of the neighbouring woodlands. The applicant needs to be prepared to lose some of the homes in those areas to provide for the buffer zone. There appear to be no visual impressions of the apartment buildings facing the road to the north of the site.”</p> <p>There have been no additional comments received in relation to the revised scheme.</p>
<b>2. Summary of Representations</b>	<p><b><u>REPRESENTATIONS</u></b></p> <p>Having regard to the Council's Guidance for Publicity on Planning Applications, 37 notifications were sent to occupiers of the office buildings and neighbouring properties and a site notice erected upon submission of the application in early 2021. The application has been advertised as a departure from the development plan. An objection was received from the Bromborough Society, on the grounds of:</p> <ul style="list-style-type: none"> <li>• Overdevelopment;</li> <li>• Threat to nature and wildlife, including within the adjacent Eastham Woods;</li> <li>• Impact on local services;</li> <li>• Historic implications of developing the site</li> </ul> <p>Further consultation was carried out upon submission of the revised scheme. No further comments or objections have been received.</p>

	<p><b><u>CONSULTATIONS</u></b></p> <p>Highways – No objection subject to highway works being secured (see comments below)</p> <p>Environmental Health – No objection</p> <p>Housing Strategy – No objection subject to affordable housing provision being secured</p> <p>Lead Local Flood Authority – No objection subject to conditions</p> <p>Merseyside Environmental Advisory Service (MEAS) – No objection subject to mitigation measures being secured in relation to recreational pressure and Biodiversity Net Gain (see comments below)</p> <p>Natural England – No objection subject to mitigation measures being secured in relation to recreational pressure and Biodiversity Net Gain (see comments below)</p> <p>Environment Agency – No objection</p>
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	<p>Merseytravel – Improvements to bus stops on Old Hall Road secured</p> <p>Wirral Wildlife – Raise the following issues:</p> <ul style="list-style-type: none"> <li>• Concerns about the impact of the proposal on Eastham Woods through increased visitors;</li> <li>• Requested a buffer 50m wide between the proposed housing and Eastham Woods;</li> <li>• Concerns about the impact of lighting on bats within Old Hall Road woodland;</li> <li>• Impact on biodiversity and habitat from developing the site – concerns about loss of habitat and replacement biodiversity being predominantly off-site</li> </ul>
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<b>3.1 Site and Surroundings</b>	
<b>3.1.1</b>	The application site is approximately 7.6 hectares in scale and currently contains three office buildings with associated roads and hard landscaping, first granted outline planning permission in 2001. The three office buildings and parking sit on the western part of the site. The rest of the site was to be developed for further office development but the additional office buildings granted planning permission have never been constructed and the remainder of the site therefore currently remains undeveloped.
<b>3.1.2</b>	The Site is bound to the north by Riverwood Road, and to the south and east by Eastham Woods, a Site of Biological Importance. Within the western part of the site sits Warren Lane, a private road which leads to Port Sunlight Lawn Tennis Club and Port Sunlight Rugby Club. To the west of Warren Lane is the land known as the former MOD site, which is subject to an outline planning application for residential development under reference DPP4/22/01080.
<b>3.1.3</b>	In terms of wider context, the site sits within an established industrial location, within the Wirral International Business Park. The current Unitary Development Plan allocation for the site is Primarily Industrial Area. Bromborough Town Centre lies to the west of the site (approximately 600m away), whilst the Croft Retail Park is further north of the site (approximately 1km away).

<b>3.2 Proposed Development</b>	
<b>3.2.1</b>	The proposal is an outline planning application for the residential development of the site. All matters are reserved other than access (onto Riverwood Road). The development proposes up to 217 dwellings. The application is accompanied by a Design Code and an indicative Masterplan. The Design Code sets out clear parameters and requirements which must be met within a Reserved Matters application, whilst the indicative Masterplan demonstrates how 217 dwellings could potentially be satisfactorily accommodated on the site.
<b>3.2.2</b>	The application is to be considered in association with a proposed residential development at the adjacent site, the former MOD site. The cumulative infrastructure requirements brought about by these two developments, totalling up to potentially 466 dwellings, will be considered together within the requirements set out in the proposed Section 106 Agreement.

<b>3.3 Development Plan</b>	
<b>3.3.1</b>	<p>The statutory development plan at present consists of the Wirral Unitary Development Plan (UDP adopted February 2000 and saved by Direction of the Secretary State on 18 September 2007) and the Joint Waste Local Plan (adopted 18 July 2013). The site is designated as a Primarily Industrial Area. UDP Policies relevant to this application include:</p> <p>Policy URN1 Development and Urban Regeneration  Policy EM6 Criteria for New Employment Development  Policy EM7 Environmental Criteria for New Employment Development  Policy EM8 Development within Primarily Industrial Areas  Policy HS4 Criteria for New Housing Development  Policy HSG2 Affordable Housing  Policy GR5 Landscaping and New Development  Policy GR6 Greenspace Within New Family Housing Development  Policy GR7 Trees and New Development  Policy NC01 Principles for Nature Conservation  Policy NC5 Protection of Sites of Local Importance for Nature Conservation  Policy NC7 Species Protection  Policy TRT3 Transport and the Environment  Policy TR8 Criteria for the Design of Highway Schemes  Policy TRT1 Provision for Public Transport  Policy TRT3 Transport and the Environment  Policy TR8 Criteria for the Design of Highway Schemes  Policy TR9 Requirements for Off-Street Parking  Policy TR11 Provision for Cyclists in Highway and Development Schemes  Policy WA2 Development and Land Drainage  Policy WA5 Protecting Surface Waters  Policy PO4 Noise Sensitive Development</p> <p>Housing development is proposed on land which is identified as a Primarily Industrial Area on the Unitary Development Plan (UDP) Proposals Map. Strategic UDP Policy URN1 seeks to ensure full and effective use of land is made within urban areas. UDP Policy EM8 makes provision for uses within Use Classes B1, B2 and B8 and proposals for the reconstruction, extension or expansion of existing business. Thus the proposal for residential development is a departure from the UDP and has been advertised as such.</p>
<b>3.3.2</b>	<p>The Joint Waste Local Plan for Merseyside and Halton (adopted 18<sup>th</sup> July 2013) is also applicable. Relevant policies are:</p> <p>WM8 Waste Prevention and Resource Management  WM9 Sustainable Waste Management Design and Layout for New Development</p>

<b>3.4 Other Material Planning Considerations</b>	
<b>3.4.1</b>	The National Planning Policy Framework (NPPF) was updated in July 2021. This indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. The need for residential development set against the need for industrial development, potential impacts on the character of the area and compatibility with neighbouring uses, nature conservation, and any other

	benefits that might be accrued in context with the NPPF and the emerging Local Plan are the principal material considerations in this particular case.
<b>3.4.2</b>	Supplementary Planning Documents SPD2 (Designing for Self-Contained Flat Development and Conversions) and SPD4 (Parking Standards) are also relevant.
<b>3.4.3</b>	<u>Wirral Borough Council – Tree, Hedgerow and Woodland Strategy</u> This Strategy is a material consideration. It provides amongst other matters that planning applications will need to demonstrate that there will be enough room for the future growth of new and retained trees to ensure long term retention and avoid pressure from future occupiers to top, lop, or fell healthy trees due to safety concerns or effects on living conditions in order to obtain reasonable sunlight and unshaded external amenity space. Planning applications will need to provide sufficient information to enable proper consideration of trees on and around the development site with tree survey and planting scheme with appropriate root protection zones undertaken to the latest British Standard. The selection of new species to be planted will use the “right tree for right place” approach.
<b>3.4.4</b>	<u>Emerging Local Plan</u> The emerging Wirral Local Plan 2021-2037 is now at an advanced stage.
<b>3.4.5</b>	The Proposed Submission Draft Local Plan was approved by the Council for publication and submission to the Secretary of State on 21 March 2022 and published for representations on legal compliance and soundness from 9 May 2022 until 25 July 2022, in accordance with the approved Local Development Scheme. The Council considers the emerging Plan to be sound and submitted it to the Secretary of State for Examination on the 26 October 2022.
<b>3.4.6</b>	The Submission Draft Local Plan proposes to allocate the application site for residential development for approximately 200 dwellings under Policy WP4.2 (RES-SA4.3) alongside the adjacent site at the former MOD tank farm and the development of both sites is intended to take place in accordance with a single comprehensive master plan and design code (MPA-SA4.2). The application site and the adjacent former MOD site combined are allocated to create a total of approximately 450 dwellings, to be brought forward together under one masterplan to create one comprehensive, sustainable residential community. Future provision for employment is proposed to be made on alternative sites, not including the application site, under Policy WS 1.2 in the Submission Draft Local Plan  The following additional Submission Draft Local Plan policies are considered to be relevant to this proposal: WS1, WS2, WS3, WS5, WS6, WS7, WS8, WS9, WS10, WP4, WD1, WD3, WD4, and WD6.
<b>3.4.7</b>	The Submission Draft Local Plan can be afforded weight in decision making in accordance with the guidance in paragraph 48 of the NPPF.
<b>3.4.8</b>	In the context of the NPPF, and in particular the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both: a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area (NPPF paragraph 49).
<b>3.4.9</b>	Unresolved objections have been submitted to the allocation of the application site for residential development; to the overall adequacy of the future employment land supply; and to some of the other sites identified for future employment development. These will be considered through the Local Plan Examination, expected to be early next year. The Regulation 22 Consultation Statement (Document SD5.1 in the Local Plan Examination library) submitted alongside the Local Plan sets out the Council's response in broad terms to the key issues raised in representations submitted at Regulation 19 stage. In terms of the application site, in relation to the proposed allocation for residential development the Council has only included sites in the land supply where they can be shown to be 'deliverable' or 'developable' in terms of the definitions set out in national planning policy and guidance. Further information is set out in the Strategic Housing Land Availability Assessment 2021 (Document H7 in the Local Plan Examination library), Site Selection Report (Document BP2) and Housing Delivery Strategy (Document BP1). Similarly, the Council is confident that the quantum of employment land provided for by the Local Plan is appropriate and accords with national planning policy. The approach to employment land has been informed by up-to-date evidence including the Employment Land and Premises Study 2021 (Document EE5).

<b>3.5 Assessment</b>	<u>Main Issues</u> The main issues to be considered are as follows: <ul style="list-style-type: none"> <li>• Principle of Development (Housing v employment land);</li> <li>• Proposed Masterplan (Creation of comprehensive sustainable community);</li> <li>• Housing;</li> <li>• Highways;</li> <li>• Ecology;</li> <li>• Other Matters; and</li> <li>• Section 106 Agreement</li> </ul>
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<b>3.6 Principle of Development</b>	
<b>3.6.1</b>	The site is designated as a Primarily Industrial Area within the Wirral Unitary Development Plan. The proposal for residential development on the site is therefore considered to be a departure from the UDP on the basis that Policy EM8 explicitly excludes residential development from the permitted uses. The Council must determine the application in accordance with the Development Plan unless other material considerations indicate otherwise.
<b>3.6.2</b>	<u>Site History</u> The application site has been subject to two previous appeals against the refusal of housing proposals, both of which were dismissed. The first appeal, decided in 1999 was followed by the development of the existing office park, for which all but the earliest phases remain undeveloped.
<b>3.6.3</b>	In the second appeal for 75 flats, decided in April 2017, the Inspector concluded that approving a residential development would be significantly at odds with the Council's policies for safeguarding employment land within defined areas. The Inspector also concluded that "future occupiers of the proposed development would not have acceptable access to local services and facilities", considered that the A41 was a "significant barrier to reaching the services and facilities in Bromborough itself" and that the site is in a "relatively isolated location within an industrial area remote from other dwellings and facilities". The Inspector advised that it should also not be permitted because of the presence of an existing hazardous substances consent at the former Epichem site opposite, but this has since been revoked.

<b>3.6.4</b>	An application to convert the existing office buildings into 96 apartments, under schedule 2, part 3 Class O of the General Permitted Development Order 2015 (under reference COMX/21/00565) was submitted in March 2021. The legislation sets out that the principle of converting the offices into apartments was permitted development subject to the applicant gaining the prior approval of the Local Planning Authority in relation to matters relating to transport/highways; contamination; flooding; noise' and natural light for future occupiers. Prior approval was subsequently granted on 8 October 2021 following the completion of a section 106 agreement securing a £50,000 contribution towards improved pedestrian crossing facilities at the A41. A condition was also attached securing improved cycle and pedestrian facilities around the site. This is a material consideration.
<b>3.6.5</b>	<u>Submission Draft Local Plan</u> There is a presumption in favour of sustainable development under the terms of the NPPF, paragraph 11, which indicates that development should be approved if it accords with an up to date development plan or if the most important policies are out of date unless policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed or any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole. It does not seek to protect any site that has no reasonable prospect of being used for employment purposes.
<b>3.6.6</b>	The Submission Draft Local Plan proposes to allocate this site and the adjacent MOD site for housing (Policy WP4.2H). It also requires a comprehensive masterplan to ensure that the sites deliver an integrated sustainable community. The proposed allocation is based on weighing up the loss of employment land against the need and suitability of the site for housing.
<b>3.6.7</b>	<u>The Need for Employment Land</u> UDP Policy EM8 is consistent with the NPPF and its focus is on building a strong, competitive economy. It does not seek to protect any site that has no reasonable prospect of being used for employment purposes. In this respect the development plan is not considered to be out-of-date.
<b>3.6.8</b>	National policy expects policies and 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 economic circumstances (NPPF, paragraphs 81 and 82).
<b>3.6.9</b>	It also states that local planning authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs (NPPF, paragraph 121) and that planning policies and decisions need to reflect changes in the demand for land and should be informed by regular reviews of both the land allocated for development in plans and of land availability (NPPF, paragraph 122).
<b>3.6.10</b>	Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan: a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area (NPPF, paragraph 122).
<b>3.6.11</b>	The process for determining the selection of housing and employment sites is detailed in the Wirral Local Plan Site Selection Report 2022, which was published alongside the Proposed Submission Draft Local Plan in May 2022 (Document BP2 in the Local Plan Examination library).
<b>3.6.12</b>	The application site was first identified as a potential additional urban housing allocation in the Wirral Local Plan (Regulation 18) Issues and Options Consultation published in January 2020, as another potentially deliverable site. The application site was included after being identified as one of 24 sites for potential re-designation for housing or mixed-use development in the Wirral Employment Land Options Study (ELOS) 2019, on the basis that sites to the southern end of the Wirral international Business Park had been known to be subject to residential interest and, if released collectively, were likely to have significant market appeal (Document EE1 in the Local Plan Examination library).
<b>3.6.13</b>	The application site was included in the housing capacity calculations associated with the Council's preferred option of urban intensification with additional urban housing allocations and it was expected that the loss of land for new employment would be made up by sites at Wirral Waters.
<b>3.6.14</b>	The Wirral Employment Land and Premises (WELP) Study 2021, also published in May 2022, provides the most up-to-date review of supply and demand (Document EE5 in the Local Plan Examination library).
<b>3.6.15</b>	The WELP Study identified a very challenging viability position across all development types, in particular office development. It found a potential excess of supply over demand and that it is important not to over-allocate land in areas of plentiful supply as this creates the risk of diluting the market and leaving land vacant which could come forward for alternative uses. The potential reliance on effectively two locations (Birkenhead and Bromborough) also needed to be considered.
<b>3.6.16</b>	The WELP Study concluded that particular focus should be given to sites with an overall rating of 'Good' and 'Very Good' but that not even all of the 'Good' sites would be required, and consideration could be given for the release of certain sites for alternative uses, where appropriate, if on balance the wider evidence base suggests there is merit in doing.
<b>3.6.17</b>	With regards to Wirral International Business Park, it concluded that whilst the Park needs to be protected as a whole, there was potential for some of the periphery sites to be released for alternative use).
<b>3.6.18</b>	The application site was categorized as a 'Good Quality Site' and the Site Summary and Recommendations in the Site Proforma in Appendix V states that: "Good' rated sites should form the majority of sites being allocated in the Local Plan for employment use. However, given that the total net developable area of 'Good' and 'Very Good' sites is greater than the estimated required land supply, consideration could be given to releasing or re-allocating some 'Good' sites for other uses, so long as enough land overall, of sufficient quality, is allocated to meet the assessed demand over the Local Plan period. A review of the wider Local Plan evidence base will also be required to understand whether there is a reasonable prospect of a planning application coming forward for employment uses on such sites and whether there is the potential to secure a more deliverable use that could help to address identified needs. However, in the context of this assessment, B1 and particularly B1a would be most appropriate uses for the site given its location and adjacent land uses."
<b>3.6.19</b>	<u>Marketing and market signals</u> National planning practice guidance indicates that it may also be relevant to take into account whether the site has been actively marketed for its intended use for a reasonable period at a realistic price.

<b>3.6.20</b>	In Wirral, previous policies have required applicants to provide evidence of marketing information for the whole application site, including the marketing methodology, copies of the advertisements and evidence to show the site has been marketed for sale of the freehold and to let, solely for industrial purposes within Use Classes B1, B2 and B8, over a continuous period of at least 12 months; and where there are existing buildings on site how the price and terms of existing units are realistic in comparison with similar premises elsewhere within the Borough; and what interest has been shown for those units.
<b>3.6.21</b>	The applicant has provided evidence that suggests that the development of additional offices on the application site has not been viable since 2008; that the site has nevertheless been continuously marketed by a number of different agents and that demand for both occupation and development has been limited, not least by a change in the scale and nature of the demand for new office floorspace.
<b>3.6.22</b>	The applicant has previously provided similar submissions to the Issues and Options (Regulation 18) Consultation; and to the draft Wirral Employment Land and Premises Study, which was published for consultation in early 2021 and believes that other suitable sites are available to make up any shortfall.
<b>3.6.23</b>	<u>Housing Need</u> For applications involving the provision of housing, policies should be considered out of date where a five-year supply of housing land cannot be demonstrated or where housing delivery was substantially below (less than 75% of) the housing requirement for the area over the previous three years (NPPF, paragraph 11d footnote 8 refers).
<b>3.6.24</b>	For Wirral, the provision of a five-year housing land supply is being addressed through the Submission Draft Local Plan.
<b>3.6.25</b>	The applicant has submitted evidence based on an earlier published Strategic Housing Land Availability Assessment (SHLAA) which showed a 3.1-year supply of housing land at April 2019 and refers to a shortfall in delivery based on the former Regional Spatial Strategy, which was revoked by the Government in May 2013 and a superseded Strategic Housing Market Assessment from 2016, which they believe would demonstrate 'persistent under delivery' under a previous version of the NPPF. The applicants also believe that a number of the sites identified in the emerging Local Plan may not be deliverable.
<b>3.6.26</b>	The latest published calculation of the Borough's housing land supply, within the Council's Strategic Housing Land Availability Assessment 2021, shows a six-year supply. An initial calculation of the position at April 2022, would currently indicate a 5.9 year-supply.
<b>3.6.27</b>	These calculations include the assumed completion of 130 dwellings on the application site within the five-year period. Without the application site, the Borough-wide supply at April 2022 would reduce to 5.7 years. Without both the application site and the adjacent MOD site, the supply would reduce to 5.6 years.
<b>3.6.28</b>	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.
<b>3.6.29</b>	If a slower pace of housing delivery meant that the Council would need to re-apply a 20% buffer in line with NPPF paragraph 74c, the five-year supply would reduce to 5.2 years and without the application site to 5.0 years. Without the application site and the adjoining site at the former MOD tank farm, the supply would reduce to only 4.9 years.
<b>3.6.30</b>	The Submission Draft Local Plan seeks to maintain a five-year housing land supply and support an appropriate level of housing delivery throughout the whole of the plan period, not only just within the next five-years and the application site is assumed to deliver completions over the five years from 2024/25, along with the delivery of the adjacent site at the former MOD tank farm (DPP4/22/01080) to support a strategy of urban regeneration.
<b>3.6.31</b>	While relevant policies are not therefore out-of-date in the terms of national policy, the application site is being relied upon to deliver part of the future housing land supply within the early years of the emerging Local Plan. Alongside the adjacent site at the former MOD tank farm this is planned to contribute at least 450 new dwellings to the future housing land supply, creating a critical mass of new residential units which will create a sustainable residential community.
<b>3.6.32</b>	<u>Conclusion</u> The Submission Draft Local Plan has assessed up-to-date evidence for employment and housing land. It considers that the application site, together with the adjacent former MOD site, should be allocated for housing in order to assist Wirral in meeting its five-year housing land supply. Whilst the application is a departure from the current Unitary Development Plan, it is considered that the site is appropriate for housing provided it is brought forward together with the adjacent site to create a new, sustainable residential neighbourhood, and provided the development complies with all other relevant policies in the UDP and Submission Draft Local Plan, and any additional material considerations. In this case, the presence of an extant 'prior approval' permission to convert the existing office buildings into 96 residential apartment is a material consideration, as is the submission of evidence from the applicant to demonstrate that the site has been unsuccessfully marketed for the existing use for a considerable time. On balance, the redevelopment of the site for residential purposes can be supported and accords with emerging policy WS1 and WP4.

<b>3.7 Proposed Masterplan</b>	
<b>3.7.1</b>	The Submission Draft Local Plan envisages the application site being brought forward alongside the adjacent site at the former MOD tank farm in accordance with a single comprehensive master plan and design code which has been endorsed by the Council (Policy WS 6.3 - Masterplan Area MPA-SA4.2).
<b>3.7.2</b>	Policy WP 4.2 H in the Submission Draft Local Plan states that development of these sites should be in conformity with a comprehensive masterplan and design code which has been endorsed by the Council to co-ordinate the built form and landscape that demonstrates the delivery of an integrated sustainable community that delivers: <ol style="list-style-type: none"> <li>1. a permeable layout with cycle and pedestrian routes through and to the sites;</li> <li>2. appropriate infrastructure as set out in the Infrastructure Delivery Plan including appropriate provision for: <ol style="list-style-type: none"> <li>i. the maintenance of a 5-metre-wide natural wildlife foraging buffer zone adjacent to the Long Plantation Woodland and Local Wildlife Site along the southern boundary of the eastern part of the sites;</li> <li>ii. public access to the coast, Eastham Country Park and Leverhulme playing fields for cyclists and pedestrians with continuous links to the Wirral Circular Trail;</li> </ol> </li> <li>3. Contributes appropriately and proportionately to: <ol style="list-style-type: none"> <li>i. the cost of managing recreational pressure on Eastham Country Park;</li> </ol> </li> </ol>

	<p>ii. controlled crossing facilities at Old Hall Road/ New Chester Road and a pedestrian crossing along Old Hall Road between Riverwood Road and the junction of Old Hall Road and the A41 to enable safe access to schools, shops and community facilities; and</p> <p>iii. enhanced bus stop infrastructure and service.</p>
3.7.3	There is no requirement to produce a master plan in the existing adopted UDP, although Policy URN2 could be applied. The requirements are nevertheless firmly based on local circumstances and evidence.
3.7.4	The application is supported by a Design Code, which will be an approved document and must be complied with in any reserved matters application. An illustrative masterplan, based on the principles of the Design Code is also included, and demonstrates how up to 217 dwellings could be achieved on the site. Whilst this Design Code only relates to this application site, it has been drawn up in collaboration with the Design Code for the adjacent site at the former MOD site, to ensure relative consistency between the two sites.
3.7.5	<p>The Design Code contains the following notable clauses. This list is not exhaustive:</p> <ul style="list-style-type: none"> <li>- Minimum of 200 dwellings, up to a maximum of 217;</li> <li>- Minimum density of 30 homes per hectare;</li> <li>- Dwelling heights of between two and three storeys (based on Character Areas);</li> <li>- Open space and green corridor left undeveloped;</li> <li>- Play space with a minimum activity area of 400 square metres, set a minimum of 20m from habitable rooms, with natural surveillance from nearby dwellings</li> <li>- Buffer zone with woodland to rear of site</li> <li>- Vehicle, cycle and pedestrian link to former MOD site development;</li> <li>- 20% affordable housing provision (subject to Vacant Building Credit – see below);</li> <li>- 70% family dwellings (3+ bed)</li> <li>- Dwellings to meet Nationally Described Space Standards;</li> <li>- A clear road hierarchy within the site;</li> <li>- Net gain in number of trees</li> </ul> <p>The Design Code will form an approved document and any subsequent Reserved Matters application must demonstrate that it satisfactorily complies with the mandatory clauses set out in the Design Code.</p>
3.7.6	<p><u>Design, Scale and Layout</u></p> <p>The Design Code indicates that the development will have a minimum density of 30 dwellings per hectare, with dwellings up to 3 storeys. There is a commitment to the development having a clear road hierarchy and areas of open space, which will contribute positively to making a good place to live. All dwellings will have adequate private amenity space, whilst a commitment to a net gain in trees will ensure that significant tree planting and landscaping will provide a high quality environment. The relatively high-density of the site will ensure best use of the land, whilst the commitment to landscaping, open space and private amenity areas will ensure that the development provides good quality of living for future occupiers.</p>
3.7.7	<p>The specific design of properties will be dealt with at Reserved Matters stage. However, in order to provide character and definition to the development site, the Design Code references three 'character areas', which help to define the development. These are:</p> <ul style="list-style-type: none"> <li>- Gateway (higher density, three-storey buildings fronting Riverwood Road, inclusion of apartments, potential for landmark buildings on primary access points into site);</li> <li>- Avenue (medium density, two-storey dwellings, mix of dwelling types);</li> <li>- Park (lower density, two-storey detached and semi-detached dwellings, more organic layout)</li> </ul> <p>This will help to provide variety and interest internally within the site and is an established place-making approach.</p>
3.7.8	The development of this site and the adjoining former MOD site will create a new residential neighbourhood of up to 466 new dwellings. A key aspect of discussions has therefore been to ensure that the two sites sit comfortably alongside each other and have similar characteristics, in order to provide the feeling and appearance that the new residential neighbourhood encompasses both sites and does not simply create two communities closed off from one another. There are therefore similar provisions in the Design Code for both sites and the general ethos is similar, to provide a relatively high-density urban development consisting primarily of family dwellings. In order to better integrate the sites with each other, the indicative masterplan for this application shows dwellings on the western side of the site facing out towards the MOD development, some of which will be served directly by Warren Lane. This will be replicated on the adjacent site (albeit dwellings opposite will not be served directly by Warren Lane). Whilst an area of SUDs and landscaping will separate the two sites, and there are some minor land level differences, the two sites will sit comfortably next to each other, and should complement one another, and will therefore comply with Submission Draft Local Plan Policy WS7.1 Design Principles.
3.7.9	Key to this is the inclusion of a link road between the two sites. Warren Lane runs to the west of the application site, sitting within the boundary of this application site. There is therefore a commitment, set out within the Design Code and also secured within a legal agreement, for a link to be created off Warren Lane and into the MOD site, where it will meet a similar link within that site. This will provide a direct pedestrian, cycle and vehicle link between the sites. This link is critical to secure clear integration and connectivity between the two sites, ensuring that together they create a new, sustainable residential neighbourhood. This link is so critical to the allocation of the two sites for residential purposes that the legal agreement will stipulate that the link must be created prior to any of the dwellings on the application site are occupied. Officers are satisfied that the controls in the S106 will secure access and integration between the two sites thus meeting the need for comprehensive integrated development.
3.7.10	<p><u>Open Space and Landscaping</u></p> <p>UDP Policy GR6 requires new on-site publicly accessible public open space, including specific provision for safe children's play at 60sqm for every house with 2 or more bedrooms unless the dwellings are within 400m of an existing accessible public open space of 1.5 hectares or above. The application site is within 400m of Eastham Country Park, which the application site adjoins to the east and south.</p>
3.7.11	Policy WS 5.2 in the Submission Draft Local Plan will require all new dwellings to be within a 720m safe walking distance of a publicly accessible open space of 1.5 hectares or above and to be within 400m of an appropriately equipped open-access facility for children's play.
3.7.12	The application documents indicate that all the properties on the application site will be within 720m walking distance of Eastham Country Park and that additional public access could be provided from within the site. There is also a commitment within the Design Code for a children's play facility to be provided on-site, with a minimum activity area of 400 square metres. This is secured by condition and would meet the requirements of Policy WS5.2 providing the open space which is to accommodate the play area is no less than 0.4 hectares in size.
3.7.13	<p><u>Landscaping</u></p> <p>The illustrative drawings show that landscaping can be provided within and around the edges of the application site, including a green wildlife corridor along the eastern and western boundaries of the site and a 5m landscape buffer to Eastham Country Park along the southern boundary, where no development will be permitted. An objection has been received stating that a 5 metre buffer was insufficient</p>



	to protect the integrity of Eastham Woods – however, this has been assessed by the Council’s ecological consultants and it is considered that, provided that the buffer is a clear ‘no-build zone’ and the requirement for the buffer is adequately secured then this is sufficient to protect Eastham Woods. Natural England concur with this assessment and do not object to a 5 metre buffer.
<b>3.7.14</b>	Provision for the protection of trees is made along the eastern and southern boundaries of the site, and at the entrance to the site. There is also a commitment for a net gain of trees on site and the proposal is therefore considered to comply with the Wirral Tree, Hedgerow and Woodland Strategy. This is secured within the approval of the Design Code and a landscaping condition.
<b>3.7.15</b>	A management plan securing appropriate arrangements for ongoing management and maintenance of the open space and landscaping, throughout the lifetime of the development, will be secured within a legal agreement.
<b>3.7.16</b>	<u>Amenity</u> In relation to amenity for future occupiers, the Design Code sets out that all dwellings will meet national space standards, will have sufficient separation distances, and will have a minimum area of private amenity space greater than the footprint of the house. On this basis, and as set out on the indicative masterplan, the development of this site is likely to result in a residential scheme which will provide good living accommodation and conditions for future occupiers, with dwellings of an acceptable size and adequate private amenity space. The landscaping and open space provision will also help to create a good living environment for future occupiers.
<b>3.7.17</b>	The applicant has also submitted information to suggest that the nearest industrial property, to the north of application site would be 130m away from the development, with a buffer of trees in between, and to the west, 200m away. This is considered sufficient distance to ensure that the nearby industrial uses do not have a negative impact upon the amenities of future occupiers. The proposal is therefore considered to comply with Wirral UDP Policy HS4.  The equivalent suite of policies in the Submission Draft Local Plan are now WS6.1 Placemaking Principles, Policy WS7.1 Design Principles, Policy WS7.2 Privacy and Amenity, Policy WS7.3 Agent of Change and Policy WS 7.4 Parking.
<b>3.7.18</b>	<u>Sustainable Location</u> It is noted that the previous appeal was dismissed partly due to the site being in a relatively isolated location within an industrial area remote from other dwellings and facilities. The aim of Policy WP 4.2 H in the Submission Draft Local Plan is to ensure that the development of the two adjacent sites (the application site and the former MOD site) together creates a critical mass of residential units which will form a new, sustainable residential neighbourhood. This will remove the sense that the dwellings are within an isolated industrial location. The two applications combined will result in a residential neighbourhood of up to 466 dwellings, creating a significantly different living environment for future occupiers when compared with the appeal proposal for just 75 apartments. This further emphasises the importance of the two sites being brought forward together, with a direct link to each other and with shared infrastructure requirements set out in Section 106 Agreements, in order to create a new residential community.
<b>3.7.19</b>	Additionally, improvements to the local highway network will be secured to enhance the sustainability of this site. Improved pedestrian, cycle and commuter links to Bromborough Village District Centre and The Croft retail park will provide much greater access to services for future occupiers, and lessen the unsustainable and isolated nature which the previous appeal proposal would have resulted in.

<b>3.8 Housing</b>	
<b>3.8.1</b>	<u>Affordable Housing</u> UDP Policy HSG2 seeks to encourage the provision of affordable housing, which UDP Policy HS6 applies to sites above 1.0 hectare. UDP Policy HS9 seeks the provision of mobility housing on sites which would provide 20 or more dwellings. The latest requirements for affordable housing are set out in the Strategic Housing Market Assessment Update 2021 (SHMA Update, Document H8 in the Local Plan Examination library) and the Wirral Local Plan CIL and Viability Assessment Study 2022 (Document DV1). As the application site falls within Value Zone 3 in the Viability Assessment Study, a minimum of 20% affordable housing is required to be provided, of which 25% must be First Homes.
<b>3.8.2</b>	National policy also expects at least 10% of the total number of homes to be available for affordable home ownership, as part of the overall affordable housing contribution from the site (NPPF, paragraph 65 refers).
<b>3.8.3</b>	The application documents indicate that 20% affordable housing is proposed to be provided, which will be secured within the legal agreement. This level of provision would comply with the needs set out in the SHMA Update and with the requirements of Policy WS 3.3 in the Submission Draft Local Plan, although it should be noted that the applicant has applied the Vacant Building Credit and this will reduce the level of affordable housing provided.
<b>3.8.4</b>	<u>Vacant Building Credit</u> The Vacant Building Credit (VBC) is national policy, set out in the NPPF and Planning Practice Guidance, which provides an incentive for brownfield development on sites containing vacant buildings. The guidance states that where a vacant building is to be demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of the vacant buildings when calculating any affordable housing contributions to be sought. The applicant has sought to apply the Vacant Building Credit to all three office buildings currently on site.
<b>3.8.5</b>	The Guidance allows authorities to consider whether a building has been made vacant for the sole purpose of re-development. Buildings 1 and 2 are now vacant, having been completely vacated within the last 12 months. Given that the marketing evidence provided demonstrates that the applicant has struggled to find occupiers for the offices, it is accepted that these buildings were not made vacant for the sole purposes of re-development. It is therefore accepted that the VBC should apply to Buildings 1 and 2. These buildings have a combined floorspace of 5,708 square metres. This area of floorspace will therefore be ‘discounted’ from the final floorspace of the development set out in a Reserved Matters application, when determining the level of affordable housing provision.
<b>3.8.6</b>	Using the indicative layout of 217 dwellings as an example, there would be a requirement for 43.4 units to be affordable housing (20% of 217). The indicative layout creates floorspace of approximately 25,000 square metres. The floorspace of the two vacant buildings is 22.83% of this, and therefore a reduction of 22.83% would be applied to the affordable housing provision. In this instance, this would amount to a reduction of 9.9 units, resulting in a requirement of 33.5 units to be affordable. The final number of affordable units will be determined at Reserved Matters stage, subject to the exact level of floorspace being created.
<b>3.8.7</b>	The applicant also claimed that the VBC should apply to Building 3. However, this building remains occupied and although the applicant advises that the last tenant is due to vacate the premises by December 2022, the building is not yet vacant and therefore it is not accepted that the VBC is applicable for this building.
<b>3.8.8</b>	<u>Housing Design Standards</u> The Design Code stipulates that all new dwellings will meet the nationally-described space standards, and will ensure that 6% of the dwellings will be ‘wheelchair accessible’. This is in line with the needs identified in the SHMA Update and the requirements of Policy WS3.1 in the Submission Draft Local Plan.

3.8.9	<p><b>Housing Mix</b> Policy WS 3.4 in the Submission Draft Local Plan will seek a minimum of 70% of new market dwellings to be developed for larger dwellings, with three or more bedrooms, where this is appropriate to the area and in line with local evidence. The Design Code stipulates that the proposed development will meet this requirement.</p>
3.8.10	<p><b>Housing Density</b> The Submission Draft Local Plan seeks to promote the effective use of urban land. The application site does not fall within an identified density zone in the Submission Draft Local Plan and will have a minimum density of 30 dwellings per hectare. This would comply with Policy WS 3.2C in the Submission Draft Local Plan and is secured within the Design Code.</p>

**3.9 Highways**

**3.9.1** The application is supported with a Transport Assessment, the contents and results of which are accepted by the Council's Traffic and Transportation division. The assessment covers the accessibility of the development together with the generated vehicle demand and reviews any potential impacts by comparing the extant use of the site as a mixed office development with the proposed residential development.

**3.9.2** **Traffic Impact Forecasting**  
The development site has extant permission for a mixed office use and this has been reviewed within the submitted Transport Assessment. The TRICS database (v. 7.7.1) was interrogated for weekday surveys for Business Park (formerly B1 Office) developments in England and Wales, excluding Greater London, and the following development peak hours were considered:  

- AM Peak: 08:00 – 09:00; and,
- PM Peak: 17:00 – 18:00

**3.9.3** The peak hour trip rates and subsequent vehicular trips associated with the existing constructed office uses are provided in the following table. All trips rates are per 100m<sup>2</sup>, and the existing constructed uses totals 9,750m<sup>2</sup> GFA:

TRICS – Existing Constructed B1 Office Uses	Average TRICS Trip Rates			Trip Potential (Vehicles)		
	Arrive	Depart	Total	Arrive	Depart	Total
AM (08:00 – 09:00)	1.237	0.170	1.407	121	17	137
PM (17:00 – 18:00)	0.108	0.848	0.956	11	83	93

**3.9.4** The table demonstrates that the existing Riverside Park offices could generate approximately 137 – 93 two-way trips in the AM and PM peaks respectively.

**3.9.5** There are also consented but unconstructed office uses on site that could also be considered within the trip generations of the extant use. The peak hour trip rates and subsequent vehicular trips associated with the consented but not constructed office uses are shown in the below table. All trips rates are per 100m<sup>2</sup>, and the consented but unconstructed uses totals 11,100m<sup>2</sup> GFA:

TRICS – Existing Constructed B1 Office Uses	Average TRICS Trip Rates			Trip Potential (Vehicles)		
	Arrive	Depart	Total	Arrive	Depart	Total
AM (08:00 – 09:00)	1.237	0.170	1.407	137	19	156
PM (17:00 – 18:00)	0.108	0.848	0.956	12	94	106

**3.9.6** The above table demonstrate that, should the consented but not constructed uses be constructed and occupied at Riverside Park, they could generate approximately 156 – 106 two-way trips in the AM and PM peaks respectively.

**3.9.7** Considering the consented office development proposals, the following table shows the built and the consented development and the combined traffic impact they could generate.

Trip Rates and Trip Generation: Extant Uses Scenarios (AM Peak)		Trip Potential (Vehicles)		
		Arrive	Depart	Total
Scenario 1:	Currently Constructed Uses (9,750m <sup>2</sup> GFA)	121	17	137
Scenario 2:	Consented but not Constructed Uses (11,100m <sup>2</sup> GFA)	137	19	156
Scenario 3:	All Consented Uses (20,850m <sup>2</sup> GFA)	258	35	293
Trip Rates and Trip Generation: Extant Uses Scenarios (PM Peak)		Trip Potential (Vehicles)		
		Arrive	Depart	Total
Scenario 1:	Currently Constructed Uses (9,750m <sup>2</sup> GFA)	11	83	93
Scenario 2:	Consented but not Constructed Uses (11,100m <sup>2</sup> GFA)	12	94	106
Scenario 3:	All Consented Uses (20,850m <sup>2</sup> GFA)	23	177	199

**3.9.8** **Proposed Residential Development Trip Generation Potential:**  
The TRICS database (v. 7.7.1) was again interrogated, this time for weekday surveys for Residential (C3 Houses and C3 Flats) developments in England and Wales, excluding Greater London and the following network peak hours were again considered:  

- AM Peak: 08:00 – 09:00; and,
- PM Peak: 17:00 – 18:00.

**3.9.9** The peak hour trip rates and subsequent vehicular trips associated with the proposed residential development are shown in the below table. All trips rates are per dwelling:

TRICS – Proposed Residential (Houses)	Average TRICS Trip Rates			Proposed Development Trips		
	Arrive	Depart	Total	Arrive	Depart	Total
AM (08:00 – 09:00)	0.124	0.344	0.468	19	51	70
PM (17:00 – 18:00)	0.307	0.153	0.460	45	19	64
TRICS – Proposed Residential (Flats)	Average TRICS Trip Rates			Proposed Development Trips		
	Arrive	Depart	Total	Arrive	Depart	Total
AM (08:00 – 09:00)	0.055	0.189	0.244	9	23	33
PM (17:00 – 18:00)	0.168	0.083	0.251	21	11	32
Total Proposed Development	Proposed Development Trips					
	Arrive	Depart	Total			
AM (08:00 – 09:00)	29	74	103			
PM (17:00 – 18:00)	66	30	96			

<b>3.9.10</b>	The above table demonstrate that the scheme could generate approximately 103 - 96 two-way trips in the AM and PM peaks respectively. This equates to two additional vehicles on the surrounding highway network every 1-2 minutes or so in the traditional peak hours, on average.
<b>3.9.11</b>	Given the Riverside Park site accommodates a mix of constructed and consented but not constructed, office uses on site, it is considered appropriate to compare the forecasted proposed development traffic generations to the extant uses on site.
<b>3.9.12</b>	<i>Net Proposed Development Trip Generation Impact:</i> The tables show that the office developments associated with the extant use has the potential to generate more traffic than that which the proposed use as residential could generate. The proposed development is therefore forecast to result in a net reduction in vehicular movements to and from the site when compared to the traffic generating potential of the extant uses. In the AM peak this translates to a reduction of 191 movements when considering all consented uses, whereas in the PM peak it could equate to a reduction of 104 movements when considering all consented uses.
<b>3.9.13</b>	<u>Traffic Impact Conclusion</u> Based on the above, it is concluded that the proposed development would result in a net reduction in vehicular trips in planning terms, and the traffic impact of the development is acceptable.
<b>3.9.14</b>	The indicative masterplan indicates that dwellings will have sufficient off-street parking, in accordance with SPD4, whilst cycle parking is to be secured via condition. In addition, in order to further enhance the sustainability of the site and to enhance accessibility to services for future occupiers, a contribution will be secured to upgrade two bus stops on Old Hall Road, to ensure that travel by bus is a more enticing alternative to travel by car, enhancing the sustainability of the site.
<b>3.9.15</b>	<u>Access</u> Vehicle access into the site is proposed from two new priority-controlled junctions with Riverwood Road. Both junctions provide visibility splays of 2.4 metres x 43 metres in both directions, which are appropriate for a road with a 30mph speed limit and are considered satisfactory. Turning provision and swept paths for a large refuse vehicle have also been submitted and these are also satisfactory.
<b>3.9.16</b>	Access to the Tennis and Rugby Club along Warren Lane is retained and improved by the development, with the addition of widening to the carriageway and the installation of a footway along one side, and the inclusion of tactile paving at the junction with the link road. These improvements will provide safer access for pedestrians and road users of Warren Lane and improve accessibility to Eastham Woods and the adjacent sports facilities. These works are another critical requirement and must therefore be carried out prior to first occupation of the site.
<b>3.9.17</b>	The improvement to pedestrian crossing and cycle facilities at the A41 / Old Hall Road junction has been identified as part of the highway works required. This would benefit the sustainability of the site and would improve accessibility to Bromborough Town Centre and other services to the west of the A41 for future occupiers. These off-site works are therefore secured within the legal agreement.
<b>3.9.18</b>	As noted, the proposed development includes a proposed link through to the neighbouring former MOD site which, as noted above, is critical to ensure connectivity between the two sites and ensure that the two sites are adequately integrated, as required by the emerging Local Plan. This link road will have appropriate dropped kerbs and tactile and corduroy paving at the junction with Warren Lane, further strengthening the connectivity between the two sites for pedestrians, cyclists and vehicle users.
<b>3.9.19</b>	The main part of Warren Lane is not adopted, however, the link road which crosses the Lane in part follows the alignment of an existing Public Right of Way (PROW). This element will need to remain open to the public for perpetuity and sign-posted accordingly as a PROW. The proposed amendments to the PROW also include the provision of a link through to Eastham Country Park in the southeast area of the proposed development.
<b>3.9.20</b>	Access into the site will be via an existing access which serves as the entrance to the existing office park, and via Warren Lane. An existing (albeit currently redundant) access to the north-east of the site, onto Riverwood Road, must therefore be removed to ensure that access into the site is only provided by the two proposed priority junctions, in order to prevent the proposed direct access being used as a main route into the site. This is secured via condition.
<b>3.9.21</b>	<u>Off-Site Highway Works</u> The proposed development will result in a new residential neighbourhood being created. To ensure that new residents have adequate access to services within the surrounding area, the following highway works are to be secured. These works are required for this individual development but the contribution to the works will be shared with the adjacent MOD site, should both sites be developed: <ul style="list-style-type: none"> <li>• The formation of footways continuous to the developments' boundaries along Riverwood Road and Old Hall Road stretching from the 'Riverside Park' development boundary in the east to the A41 / Old Hall Road junction in the west;</li> <li>• The provision of cycle improvements taking in Riverwood Road, the gyratory and Old Hall Road to the A41 junction to form a segregated cycleway/footway;</li> </ul>



	<ul style="list-style-type: none"> <li>• Cycle lane improvements to include the Riverwood Road roundabout, providing improvements to the existing crossing provisions for pedestrians and cyclists. A route through to the Croft Retail Park utilising the Riverwood Road roundabout junction. All cycle improvements to accord with LTN 1/20 requirements and 'Sustrans' best practice;</li> <li>• The inclusion of pedestrian crossing and cycle crossing facilities at the A41 / Old Hall Road junction across the eastern arm of the junction;</li> <li>• Dropped kerbs and tactile paving to all internal junctions and at the site access junctions onto Riverwood Road;</li> <li>• Vehicle accesses to form adoption standard priority junctions onto Riverwood Road as necessary;</li> <li>• The existing PROW which runs through the Riverside Park development to be maintained at all times and appropriate signage provided.</li> <li>• Widening of Warren Lane to 6m including the section that is within the adoption boundary;</li> <li>• The provision of footway improvements to Warren Lane so that a suitable footway is provided for the full length of Warren Lane, improving access to Eastham Woods and the Tennis and Rugby Club;</li> <li>• Vehicular, pedestrian and cycle link with the adjacent site across Warren Lane;</li> <li>• Contribution to the upgrade of two bus stops on Old Hall Road.</li> </ul>
<b>3.9.22</b>	Although many of these works are also required for the adjacent former MOD site, they are considered necessary even if only one of the sites was developed out. The Section 106 Agreements for both sites will therefore require these works to be carried out and/or paid for by whichever development is brought forward first, with clawback provisions in each Agreement that requires half the costs to be reimbursed to the first developer once the second development is brought forward. This again emphasises the integrated nature of the two sites.
<b>3.9.23</b>	The provision of a residential travel plan will be secured through condition given the scale of development proposed.

<b>3.10 Ecology</b>	
<b>3.10.1</b>	<p><u>Habitats Regulation Assessment</u></p> <p>The following European designated sites are easily accessible (by walking, car and public transport) to the development site and UDP policies NC1 and NC2 applies:</p> <ul style="list-style-type: none"> <li>• Mersey Estuary SPA (500m north east);</li> <li>• Mersey Estuary Ramsar and SSSI (500m north east).</li> </ul>
<b>3.10.2</b>	The proposed development of the site for residential purposes 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. Recreational pressure from residential development has been identified as a Likely Significant Effect, alone and in-combination with other developments, within the Liverpool City Region. Recreational pressure is recognised in the formal statutory Conservation Advice Packages and Site Improvement Plans as medium-high risk to qualifying features of the European sites.
<b>3.10.3</b>	<p>Due to the potential impact of the development on protected sites, the proposal requires Habitats Regulations Assessment (HRA) for likely significant effects. A HRA has been carried out on behalf of the Council and concludes that with mitigation and preventative measures there will be no adverse effect upon the integrity of internationally designated sites. The mitigation measures, to be secured within the legal agreement, are:</p> <ul style="list-style-type: none"> <li>• Payment of a commuted sum to mitigate recreational pressure. Using Wirral's draft interim approach on the mitigation of recreational pressure, which was published with the Regulation 19 draft Wirral Local Plan consultation, a commuted sum figure of £280.26 per dwelling has been agreed. This gives a total of £60,816.42 (based on a maximum of 217 dwellings). This commuted sum is to be used towards enhancing Suitable Alternative Natural Greenspaces (SANG) and towards Strategic Access Management and Monitoring (SAMM) measures. This will include the enhancement and management of Eastham Woods Local Wildlife Site (in order for it to act as a SANG and to take visitors away from the designated coastal sites). This may include the provision of pathway improvements (including knee-high rails to protect areas of bluebells and woodland within Eastham Woods), new signage and tree canopy thinning and management works. Funding will also be provided for SAMM measures on the Wirral coast, including signage and interpretation boards, path management and fencing;</li> <li>• Provision of information in sales packs for new occupants, informing residents of the importance of the internationally designated sites, responsible user code, and the location of SANGs.</li> </ul>
<b>3.10.4</b>	Natural England have been consulted upon the conclusions of the HRA, and do not object on the basis of the above mitigation measures being secured.
<b>3.10.5</b>	<p><u>Local Wildlife Site (LWS)</u></p> <p>The Old Hall Road Woods LWS is separated from the proposed development by Riverwood Road and is therefore unlikely to be directly impacted during the construction phase. Adverse impacts during the operational phase of the development can also be discounted as there is no public access into the LWS. However, the proposals will have a direct or indirect adverse effect on the Eastham Woods LWS. The proposed masterplan has therefore been designed so as to include a minimum 5-metre 'no-development' buffer along the northern boundary of Eastham Woods LWS, in order to assist in avoiding harm to the woodland during construction and to minimise any harm from the future occupation of the site, through issues such as lighting and tree pruning. This requirement is secured within the Design Code.</p>
<b>3.10.6</b>	<p><u>Bats</u></p> <p>The submitted Ecology Survey indicated that no bats, or evidence of bats, were detected at the external or internal areas of the affected buildings and no suitable opportunities for loft or crevice dwelling bats have been observed. This is accepted, and no further bat survey of the buildings is therefore required.</p>
<b>3.10.7</b>	Potential bat roosting features were observed on a mature beech tree towards the front of the site (Tree Reference T1) that were considered to provide low potential for bats. This is within a small area of trees which are to be retained near to the main entrance off Riverwood Road – however, a condition has been attached to ensure that if the tree is removed then soft-felling measures will be required (e.g. felling tree in sections and gently lowering to the ground).

3.10.8	Habitats on site or adjacent to the site may provide foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. A condition is therefore attached to secure a lighting scheme which is designed so that it protects ecology and does not result in excessive light spill onto the habitats, in line with NPPF paragraph 180.
3.10.9	<p><u>Terrestrial mammals</u></p> <p>Habitats onsite are suitable for hedgehog and badger, which are considered a Priority and Protected Species respectively, and UDP policy NC7 applies. A condition has therefore been attached to secure the following Reasonable Avoidance Measures:</p> <ul style="list-style-type: none"> <li>• A pre-commencement check for badger and hedgehog;</li> <li>• All trenches and excavations should have a means of escape (e.g. a ramp);</li> <li>• Any exposed open pipe systems should be capped to prevent mammals gaining access; and</li> <li>• Appropriate storage of materials to ensure that hedgehogs do not use them.</li> </ul>
3.10.10	<p><u>Invasive species</u></p> <p>Stands of wall cotoneaster are present within the site boundary. This is listed on Schedule 9 of the Wildlife and Countryside Act and national Planning Policy Guidance applies. A condition has therefore been attached to require the submission of a Method Statement which includes the following information:</p> <ul style="list-style-type: none"> <li>• A plan showing the extent of the plants;</li> <li>• The methods that will be used to prevent the plant/s spreading further, including demarcation;</li> <li>• The methods of control that will be used, including details of post-control monitoring; and</li> <li>• How the plants will be disposed of after treatment/removal.</li> </ul>
3.10.11	<p><u>Construction Environmental Management Plan (CEMP)</u></p> <p>A Construction Environmental Management Plan (CEMP) will be required in order to manage and mitigate the main environmental effects during the construction phases of the proposed development, and a condition has therefore been attached to secure this. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts. It should include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Amphibian and reptile Reasonable Avoidance Measures (RAMs);</li> <li>• Hedgehog and Badger RAMs;</li> <li>• Soft-felling of trees with low bat roost potential (identified as trees T1), should they not be retained as indicated;</li> <li>• Measures to avoid harm to breeding birds;</li> <li>• Tree and woodland protection measures; and</li> <li>• Measures to avoid the transfer of construction-related pollutants into adjacent Eastham Woods LWS.</li> <li>• Hoarding to be installed and maintained, around the active demolition and construction areas to avoid noise and visual disturbance to qualifying species within European sites and functionally linked habitats;</li> <li>• Plant and equipment to be maintained in good working order and fitted with silencers and acoustic panels where appropriate;</li> <li>• All vehicles and equipment to be switched off between periods of use;</li> <li>• Methods used for concrete breaking and demolition will be carefully considered, non-percussive means will be used where possible;</li> <li>• Use of construction lighting will be avoided, directional and restricted where possible so as not to exceed 0.5lux at the site boundary;</li> <li>• Noise and vibration to be controlled and limited so far as reasonably practicable so that sensitive receptors are protected from excessive noise and vibration arising from construction; and</li> <li>• Night working to be restricted. All construction works will cease at least 30 minutes before sunset and will not commence before sunrise in order to avoid disturbance to qualifying species roosting within European sites and adjacent functionally linked habitats.</li> </ul>
3.10.12	<p><u>Site Waste Management</u></p> <p>There are no specific details on waste types or estimated volumes. The proposal is major development and involves demolition, excavation and construction activities which are likely to generate significant volumes of waste. Policy M8 of the Merseyside and Halton Waste Joint Local Plan (WLP) and Planning Practice Guidance (paragraph 49) 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. A condition has therefore been attached to secure a waste audit or a similar mechanism, such as a Site Waste Management Plan, demonstrating how this will be achieved.</p>
3.10.13	<p><u>Biodiversity Net Gain (BNG)</u></p> <p>The applicant has agreed to provide a biodiversity uplift as part of the scheme. A baseline assessment of the biodiversity of the site, determined in biodiversity/habitat units, has been submitted and indicates that the existing site has a baseline of 41.91 units. As the application is only at outline stage it is not possible to definitively determine the biodiversity impact of the development. However, to ensure that the development provides a biodiversity uplift, a Landscape and Ecological Landscape Plan and a Biodiversity Metric Net Gain Calculation will be submitted with the first Reserved Matters application. This will allow a clear assessment of whether the development results in an uplift in biodiversity on the site. Where there is no uplift identified or there is a net loss in biodiversity, then on-site mitigation measures will be required. Where full on-site mitigation cannot be achieved, a contribution will be required to allow the Council to improve habitats off-site. This has been agreed as a commuted sum of £10,000 per habitat unit. This is secured within the section 106 Agreement. On this basis, it is considered that the proposal satisfactorily complies with Paragraph 180 of the NPPF, which states that applications should otherwise be refused if development leads to significant harm to biodiversity, unless it can be adequately mitigated for.</p>
3.11 Other Matters	
3.11.1	<p><u>Drainage</u></p> <p>In accordance with Paragraph 167 and 169 of the NPPF, the applicant has submitted a Flood Risk Assessment and Drainage Strategy. This has been assessed by the Lead Local Flood Authority and it is concluded that, subject to conditions, the applicant has adequately demonstrated that the proposed development of this site will not increase flood risk either on or off site.</p>
3.11.2	<p><u>Social Value</u></p> <p>Submission Draft Local Plan Policy WS2 states that for major developments, where appropriate, the Council will seek to enter into a legal agreement relating to the use of local labour and provision of training and skills for the local community, using an agreed employment and skills plan. The applicant has agreed to this and this will be secured within the Section 106 Agreement.</p>
3.11.3	<p><u>Compatibility with surrounding uses</u></p> <p>Policy WS4.2 in the Submission Draft Local Plan will require that the uses proposed are compatible with the surrounding area and would not restrict the operation or function of existing employment uses. A previous hazardous substances consent, on a site to the north of the application site, was revoked in October 2020 and no longer provides a constraint to future development. It is otherwise not considered</p>

	that the introduction of residential development on this site would restrict the operation or function of existing uses within the Wirral International Business Park.
<b>3.11.4</b>	<u>Education Capacity</u> Policy WS 10.1 - Provision of Infrastructure, in the Submission Draft Local Plan requires proposals to have regard to the Infrastructure Delivery Plan that accompanies the Local Plan (Document KSD1 in the Local Plan Examination library) and to demonstrate that there is sufficient appropriate infrastructure capacity to support the development or that such capacity will be delivered by the proposed development. In this instance, an assessment of school capacity has been carried out as part of the development of the Infrastructure Delivery Plan and this has identified that there are sufficient school places within the school planning area to accommodate the likely pupil yield from this development.

<b>3.12 Section 106 Agreement</b>	
<b>3.12.1</b>	The terms of a Section 106 Agreement have been agreed with the applicant on the basis of the following provisions: <ul style="list-style-type: none"> <li>• Recreational Pressure contribution of £60,816.42;</li> <li>• Bus Stop contribution (£27,000 to enhance existing bus stops on Old Hall Road – this cost to be split equally between this application and DPP4/22/01080);</li> <li>• Affordable Housing (minimum of 20%, subject to Vacant Building Credit);</li> <li>• Homeowner Information Packs (to help offset Recreational Pressure);</li> <li>• Biodiversity Net Gain contribution (subject to information to be submitted at Reserved Matters);</li> <li>• Highways Works (as set out in the main report – noting some are secured via condition);</li> <li>• Warren Lane Works (including securing the link between the two sites);</li> <li>• Public Open Space Management Plan;</li> <li>• Employment and Skills Management Plan;</li> <li>• Monitoring Costs (for the Agreement and for the Employment and Skills Management Plan)</li> </ul>

<b>Conclusion</b>	
	<p>In conclusion, the applicant has demonstrated that there is little prospect of the site being brought forward for its currently designated purpose. Its development for residential purposes will therefore contribute a significant number of units to the housing supply for the Borough. In accordance with Policy WP 4.2 H in the Submission Draft Local Plan, the scheme has been brought forward together with the adjacent, former MOD site, in a comprehensive manner with associated infrastructure, to create a new residential community of up to 466 dwellings.</p> <p>The development will be intrinsically linked to the development of the adjacent, former MOD site, with clear physical and visual links between the two sites, ensuring that the two sites together will form a sustainable, comprehensive residential neighbourhood, which complies with the requirements set out in the Submission Draft Local Plan.</p> <p>The submitted Design Code sets out that the proposed development will provide satisfactory living conditions for future occupiers of the site, with a minimum of 70% family dwellings set within a relatively well landscaped development, with adequate individual and communal amenity space and landscaping provided, again, in line with the Submission Draft Local Plan.</p> <p>The proposed highway impacts of the development are considered to be acceptable and the highway improvements works secured will ensure that the development will create a sustainable community with good access to local services for pedestrians, cyclists and vehicles.</p> <p>The impact of the proposed development on nearby protected ecological sites will be adequately mitigated for and secured by requirements in the attached Section 106 Agreement and/or conditions, and the proposal is therefore considered to comply with the policies set out within the adopted Wirral Unitary Development Plan, the Submission Draft Local Plan and the National Planning Policy Framework.</p> <p>The proposal is considered to be acceptable in all other regards and is therefore acceptable when assessed against the Wirral Unitary Development Plan, Submission Draft Local Plan and the National Planning Policy Framework.</p>

<b>Recommended Decision:</b>	<p><b>Conditional Approval Subject to the following Section 106 Agreement Heads of Terms:</b></p> <ul style="list-style-type: none"> <li>• Recreational Pressure contribution of £60,816.42;</li> <li>• Bus Stop contribution (£27,000 to enhance two existing bus stops on Old Hall Road);</li> <li>• Affordable Housing (minimum of 20%, subject to Vacant Building Credit);</li> <li>• Homeowner Information Packs (to help offset Recreational Pressure);</li> <li>• Biodiversity Net Gain contribution (subject to information to be submitted at Reserved Matters);</li> <li>• Highways Works (as set out in the main report – noting some are secured via condition);</li> <li>• Warren Lane Works (including securing the link between the two sites);</li> <li>• Public Open Space Management Plan;</li> <li>• Employment and Skills Management Plan;</li> <li>• Monitoring Costs (for the Agreement and for the Employment and Skills Management Plan)</li> </ul>
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<b>Recommended Conditions and Reasons:</b>	
	<p>1. Application for approval of the reserved matters shall be made to the local planning authority not later than [3] years from the date of this permission Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990</p> <p>2. No development shall commence on the site until details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority:</p> <p>(a) The external appearance of the development;</p> <p>(b) The landscaping of the site;</p> <p>(c) The Layout of the development; and</p> <p>(d) The Scale of the development</p> <p>The development shall be carried out in accordance with the approved details. Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92(as amended) of the Town and Country Planning Act 1990.</p>

3. The development hereby permitted shall take place not later than [2] years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990

4. All reserved matters applications shall be in accordance with the parameters and guidance set out in the approved Design Code document (October 2022). All reserved matters applications shall include a Statement of Conformity of how the development complies with the approved Design Code document

Reason: To ensure that the development delivers a high quality built environment which complies with all relevant national and local planning policy

5. No development involving the use of any facing materials shall take place until samples or details of the materials to be used in the construction of external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area having regards to the Wirral Unitary Development Plan

6. Prior to the commencement of any development and as part of an application for the approval of reserved matters for layout, appearance and landscaping full details of a sustainable surface water drainage system to serve the site and method of implementation shall be submitted for consideration by the Local Planning Authority in consultation with Lead Local Flood Authority. The drainage strategy shall comply with the terms of condition below and shall be developed in accordance with the discharge hierarchy and limit the surface water discharge rate to the greenfield equivalent. The sustainable surface water drainage strategy shall be in accordance with the following submitted document:

- Flood Risk Assessment and Drainage Strategy – Riverside Park, Bromborough (16.09.2022/ 20-0620.06/ Issue No.3/ Delta-Simons)

#### Terms of Condition

Final/Confirmed Sustainable Drainage Strategy to comply with DEFRA's technical standards for sustainable drainage systems and the SuDS Manual and include:

- Justification of final design, including:
  - For an infiltration design, a completed copy of Table B.6 Infiltration assessment checklist found in C753 The SuDS Manual (CIRIA), Appendix B
  - Demonstration that any infiltration design is in accordance with BRE 365 and CIRIA C753 SuDS manual; with a minimum of 1 metre clearance between the base of the soakaway and the seasonally high groundwater level; infiltration components of the system include an overflow and the maximum appropriate climate change allowance has been applied.
  - Evidence that the use of infiltration has been approved by a geotechnical engineer or engineering geologist (e.g. a Registered Ground Engineer Advisor or similar) with infiltration tests undertaken by a specialist site investigation company and the report submitted to support the drainage strategy
- Drawings to include:
  - Final layout of site with topography and finished floor levels a minimum of 300mm above the maximum flood level
  - Plan showing hatched permeable/impermeable areas. Pervious paving must be included in impermeable area for calculation of runoff.
  - Final layout of sewers; outfalls; SuDS. Invert levels (to OS datum), manhole and pipe sizes; pipe gradients; emergency overflows and annotation that correlates to the hydraulic calculations
  - Overland flow paths designed for exceedance of the 1 in 100 plus climate change event, system blockages, etc. An impermeability of 100% for the whole site area (including soft landscaped areas) should be used in all cases when determining exceedance flows. Water should not pond on the highway at the access points to property as part of the exceedance design
  - Plan showing ownership and maintenance responsibility for all SuDS components, including hard engineered and landscaped
- Hydraulic modelling for final drainage strategy to include:
  - System performance for following return periods; 1, 30, 100, 100 plus appropriate climate change allowance
  - Demonstration of sufficient storage for the 1 in 100 year (plus climate change) critical rainfall event
  - Design criteria summary, Full network details table, pipe and manhole schedules, contributing area summary, control/storage structure details, results summary print outs
  - Volumetric runoff co-efficient (Cv) should be set to '1' and 10% urban creep allowance included
- Timetable including any phasing and demonstrating completed SuDS construction prior to occupation
- Construction Phase Surface Water Management Plan
- Secure means of access for maintenance and easements, where applicable
- Completed North-West SuDS proforma

Reason: To ensure a satisfactory drainage system is provided to serve the site in accordance with Paragraphs 167 & 169 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

7. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in perpetuity in accordance with an agreed Operation and Maintenance Plan, to be submitted for each development phase, approved by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The approved drainage scheme shall be **fully constructed prior to occupation** in accordance with the approved details, phasing and timetable embodied within the approved final Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, in accordance with any approved phasing, prior to occupation.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraph 167 and 169 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems

8. No tree felling, scrub clearance, hedgerow removal, vegetation management and / or ground clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval, and the approved details adhered to in full

Reason: In the interests of ecology having regards to Wirral Unitary Development Plan Policy NC7

9. THE DEVELOPMENT HEREBY PERMITTED SHALL NOT BE OCCUPIED UNTIL details of bird nesting and bat boxes, to include their location, number and type on a suitably scaled plan, and the timing of their installation, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the boxes shall be installed in accordance with the approved details and retained.

Reason: In order to mitigate for the loss of nesting bird habitat in accordance with the objectives of saved policy NC7 of the Wirral Unitary Development Plan.

10. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) document shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst

other things, should include details of ecological mitigation, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts. Regarding ecology the CEMP should include, but not be limited to, the following:

- Amphibian and reptile RAMs;
- Hedgehog and Badger RAMs;
- Soft-felling of trees with low bat roost potential (identified as trees T1);
- Measures to avoid harm to breeding birds;
- Tree and woodland protection measures; and
- Measures to avoid the transfer of construction-related pollutants into adjacent Eastham Woods LWS.
- Hoarding to be installed and maintained, around the active demolition and construction areas to avoid noise and visual disturbance to qualifying species within European sites and functionally linked habitats;
- Plant and equipment to be maintained in good working order and fitted with silencers and acoustic panels where appropriate;
- All vehicles and equipment to be switched off between periods of use;
- Methods used for concrete breaking and demolition will be carefully considered, non-percussive means will be used where possible;
- Use of construction lighting will be avoided, directional and restricted where possible so as not to exceed 0.5lux at the site boundary;
- Noise and vibration to be controlled and limited so far as reasonably practicable so that sensitive receptors are protected from excessive noise and vibration arising from; and
- Night working to be restricted. All construction works will cease at least 30 minutes before sunset and will not commence before sunrise in order to avoid disturbance to qualifying species roosting within European sites and adjacent functionally linked habitats.

Reason: To manage and mitigate the main environmental effects during the construction phases of the proposed development

11. No development shall take place until a Site Waste Management Plan, confirming how construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policies WM8 of the Waste Local Plan.

12. THE DEVELOPMENT HEREBY PERMITTED SHALL NOT BE OCCUPIED UNTIL details of external lighting to be installed on site have been submitted to and approved in writing by the Local Planning Authority. The details shall have regards to *Bat Conservation Trust website* - <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>.

Reason: In the interests of nature conservation having regards to Wirral Unitary Development Plan Policy NC7

13. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- A site investigation scheme, based on desk study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect groundwater quality in the underlying Principal aquifer and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

14. Prior to any part of the development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To protect groundwater quality in the underlying Principal aquifer, and to ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

15. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater quality in the underlying Principal aquifer, and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

16. No development, besides demolition and site clearance and remediation, shall commence until a Road Phasing and Completion Plan has been submitted to and approved in writing by the Council as Local Planning Authority. The Road Phasing and Completion Plan shall set out the development phases and the standards to which roads serving each phase of the development will be completed.

Reason: To ensure that roads serving the development are completed and thereafter maintained to an acceptable standard in the interests of safety; to ensure a satisfactory appearance to the highway infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

17. No phase of development (as set out within details relating to Condition 16) shall be occupied until the LPA has approved in writing a full scheme of works and timetable (relating to the relevant phase) for the construction of the new highways and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, tactile paved pedestrian crossings, street lighting and furniture, access onto the adjacent highway, road safety audit and monitoring. This shall include all roads proposed for adoption. The approved works shall be completed in accordance with the LPA written approval prior to occupation of the development.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highway infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway

18. No phase of development (as set out within details relating to Condition 16) shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed roads within the relevant phase of development have been submitted to and approved in writing by the Council as Local Planning Authority. The roads shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980.



Reason: To ensure that roads serving the development are maintained to an acceptable standard in the interests of safety; to ensure a satisfactory appearance to the highway infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

19. No phase of development (as set out within details relating to Condition 16) shall be occupied until details of the proposed surface water drainage for the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. This shall be designed to prevent the discharge of water on to the public highway. The drainage design shall be implemented as set out within the approved details prior to first occupation of the relevant phase.

Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.

20. No phase of development (as set out within details relating to Condition 16) shall be occupied until details of a scheme for the provision of cycle parking in accordance with the Council's current standards has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

21. No works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of the highways works for demolition/construction purposes has been submitted to and approved in writing by the Council as Local Planning Authority.

The method statement shall include, but not be limited to:

- Construction traffic routes, including provision for access to the site
- Entrance/exit from the site for visitors/contractors/deliveries
- Location of directional signage within the site
- Siting of temporary containers
- Parking for contractors, site operatives and visitors
- Identification of working space and extent of areas to be temporarily enclosed and secured
- during each phase of demolition/construction
- Temporary roads/areas of hard standing
- Schedule for large vehicles delivering/exporting materials to and from site
- Storage of materials and large/heavy vehicles/machinery on site
- Measures to control noise and dust
- Details of street sweeping/street cleansing/wheelwash facilities
- Details for the recycling/disposing of waste resulting from demolition and construction works
- Hours of working
- Phasing of works including start/finish dates
- How the existing public right of way across the site will be maintained and kept open to the public during construction
- How access to the tennis/rugby club and Eastham Woods will be maintained during construction and during completion of the Warren Lane works

The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority.

Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers.

22. Prior to occupation, full details of soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include full details on tree planting, including an assessment of canopy cover in comparison with the site as existing. The approved scheme shall be implemented in full prior to first occupation or no later than the first planting season following first occupation, unless otherwise agreed in writing with the Local Planning Authority.

Any trees, shrubs, hedges or plants which, within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason:** To improve the appearance of the development having regards to Wirral Unitary Development Plan Policy GR5 and the National Planning Policy Framework

23. PRIOR TO COMMENCEMENT OF DEVELOPMENT, detailed drawings indicating the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

**Reason:** To ensure that the development is satisfactorily sited and designed in relation to adjacent properties having regard to Wirral Unitary Development Plan Policy HS4

24. Any Reserved Matters application(s) shall be accompanied by an Arboricultural Impact Assessment which adequately assesses the impact on existing trees within and directly adjacent to the site

**Reason:** For the avoidance of doubt and in the interests of retaining trees having regards to Wirral Unitary Development Plan Policy GR7

25. Prior to commencement of development, a Method Statement in relation to the removal of wall cotoneaster shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include the following information:

- A plan showing the extent of the plants;
- The methods that will be used to prevent the plant/s spreading further, including demarcation;
- The methods of control that will be used, including details of post-control monitoring; and
- How the plants will be disposed of after treatment/removal.

The removal of the plant(s) as set out in the Method Statement shall be carried out prior to first occupation

**Reason:** In the interests of removing invasive species

26. Prior to first occupation a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority

**Reason:** In the interests of highway safety and to accord with Policy TRT1 of the Wirral Unitary Development Plan and the National Planning Policy Framework

27. The children's play provision, as set out in the approved Design Code, shall be made available for use prior to the occupation of the 100th unit and shall be retained for use thereafter

**Reason:** In the interests of amenity for future occupiers having regards to Wirral Unitary Development Plan Policy GR6

28. Prior to first occupation, a scheme of works for the removal of the redundant access onto Riverwood Road (to the north-east of the site) shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall set out how the redundant access will be brought back to adoptable standards and the works carried out in full prior occupation of the 30th dwelling

**Reason:** For the avoidance of doubt and to ensure that the unused access is removed and brought back to acceptable standards

29. No development, besides demolition and site clearance, shall commence until details of a scheme of works to the existing public right of way across the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include signage, improvements to footpaths within the site, and clear confirmation that it will be retained as open to the public in perpetuity. The agreed signage shall be erected prior to first occupation and retained as such thereafter

Reason: For the avoidance of doubt

<b>Last Comments By:</b>	20-August-2022
<b>Expiry Date:</b>	11-November-2022

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<b>Strategic Applications Sub-Committee</b>	10 <sup>th</sup> November 2022
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<b>Reference:</b>	<b>Area Team:</b>	<b>Case Officer:</b>	<b>Ward:</b>
DPP4/22/01080	DM	Mr N Williams	Bromborough

<b>Location:</b>	Former MOD Site, Old Hall Road, BROMBOROUGH
<b>Proposal:</b>	Outline planning application with all matters reserved except for points of access (from Old Hall Road and across Warren Lane) for residential development of up to 249 dwellings with associated parking, servicing, landscaping, drainage features and associated infrastructure
<b>Applicant:</b>	Wirral Metropolitan Borough Council
<b>Agent:</b>	Barton Willmore, now Stantec

<b>Qualifying Petition</b>	No
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**Site Plan:**



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<b>Development Plan designation:</b>	Primarily Industrial Area
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<b>Planning History:</b>	<p>Location: Oil Storage (underground), Old Hall Road, Bromborough, Wirral, CH62 3NX          Application Type: Work for Council by outside body          Proposal: Clearance of site and demolition works with new vehicular access onto Old Hall Road          Application No: APP/05/06929          Decision Date: 09/12/2005          Decision Type: Approve</p> <p>Location: West entrance , Oil Storage (underground), Old Hall Road, Bromborough, Wirral, CH62 3NX          Application Type: Full Planning Permission          Proposal: Erection of a electric sub station          Application No: APP/09/05344          Decision Date: 12/05/2009          Decision Type: Approve</p>
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**Summary Of Representations and Consultations Received:**

<b>1. Ward Member Comments</b>	No comments received.
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<b>2. Summary of Representations</b>	<p><b>REPRESENTATIONS</b></p> <p>Having regard to the Council's Guidance for Publicity on Planning Applications, 45 notifications were sent to occupiers of neighbouring properties and a site notice erected. The application has been advertised as a departure from the development plan. No comments or objections were received.</p>
	<p><b>CONSULTATIONS</b></p> <p>Highways – No objection subject to highway works being secured (see comments below)</p> <p>Environmental Health – No objection</p> <p>Housing Strategy – No objection subject to affordable housing provision being secured</p> <p>Lead Local Flood Authority – No objection subject to conditions</p> <p>Merseyside Environmental Advisory Service (MEAS) – No objection subject to mitigation measures being secured in relation to recreational pressure and Biodiversity Net Gain (see comments below)</p> <p>Natural England – No objection subject to mitigation measures being secured in relation to recreational pressure and Biodiversity Net Gain (see comments below)</p> <p>Environment Agency – No objection</p> <p>Merseytravel – Improvements to bus stops on Old Hall Road secured</p> <p>Wirral Wildlife – Raise the following issues:</p> <ul style="list-style-type: none"> <li>• Concerns about the impact of the proposal on Eastham Woods through increased visitors;</li> <li>• Requested a buffer 50m wide between the proposed housing and Eastham Woods;</li> <li>• Concerns about the impact of lighting on bats within Old Hall Road woodland;</li> <li>• Impact on biodiversity and habitat from developing the site – concerns about loss of habitat and replacement biodiversity being predominantly off-site</li> </ul>
<b>3.1 Site and Surroundings</b>	
<b>3.1.1</b>	<p>The application site is approximately 8 hectares in scale and is currently vacant, containing areas of scrubland and vegetation. It is considered to be previously developed land as it has previously been used as an oil storage depot and more recently used by the Ministry of Defence (MOD). The land has remained undeveloped since around 2005 and is covered by self-seeded grass, shrubs and trees.</p>
<b>3.1.2</b>	<p>The topography of the site is relatively flat, and forms an L-Shape around existing industrial uses on Grisedale Road, to the south west of the site. The site is bound to the west by Hardknott Road, to the north by Old Hall Road, and to the east by a private road (Warren Lane) leading to Port Sunlight Lawn Tennis Club and Port Sunlight Rugby Club, both of which are located to the south. To the east of the site, across Warren Lane, sits the Riverside Park development. This site is also subject to an outline planning application for residential development, under reference OUT/20/01881. Eastham Woods, a Site of Biological Importance, sits directly adjacent to the southern boundary of the Site and extends east towards the River Mersey.</p>
<b>3.1.3</b>	<p>In terms of wider context, the site sits within an established industrial location, within the Wirral International Business Park. The current Unitary Development Plan allocation for the site is Primarily Industrial Area. Bromborough Town Centre lies to the west of the site (approximately 500m away), whilst the Croft Retail Park is further north of the site (approximately 1km away).</p>
<b>3.2 Proposed Development</b>	
<b>3.2.1</b>	<p>The proposal is an outline planning application for the residential development of the site. All matters are reserved other than access (onto Old Hall Road and across Warren Lane). The development proposes up to 249 dwellings. The application is accompanied by a Design Code and an indicative Masterplan. The Design Code sets out clear parameters and requirements which must be met within a Reserved Matters application, whilst the indicative Masterplan demonstrates how 249 dwellings could potentially be satisfactorily accommodated on the site.</p>
<b>3.2.2</b>	<p>The application is to be considered in association with a proposed residential development at the adjacent site, Riverside Park. The cumulative infrastructure requirements brought about by these two developments, totalling up to potentially 466 dwellings, will be considered together within the requirements set out in the proposed Section 106 Agreement.</p>
<b>3.3 Development Plan</b>	
<b>3.3.1</b>	<p>The statutory development plan at present consists of the Wirral Unitary Development Plan (UDP adopted February 2000 and saved by Direction of the Secretary State on 18 September 2007) and the Joint Waste Local Plan (adopted 18 July 2013). The site is designated as a Primarily Industrial Area. UDP Policies relevant to this application include:</p> <p>Policy URN1 Development and Urban Regeneration  Policy EM6 Criteria for New Employment Development  Policy EM7 Environmental Criteria for New Employment Development  Policy EM8 Development within Primarily Industrial Areas  Policy HS4 Criteria for New Housing Development  Policy HSG2 Affordable Housing  Policy GR5 Landscaping and New Development  Policy GR6 Greenspace Within New Family Housing Development  Policy GR7 Trees and New Development  Policy NC01 Principles for Nature Conservation  Policy NC5 Protection of Sites of Local Importance for Nature Conservation  Policy NC7 Species Protection  Policy TRT3 Transport and the Environment</p>

	<p>Policy TR8 Criteria for the Design of Highway Schemes  Policy TR1 Provision for Public Transport  Policy TR3 Transport and the Environment  Policy TR8 Criteria for the Design of Highway Schemes  Policy TR9 Requirements for Off-Street Parking  Policy TR11 Provision for Cyclists in Highway and Development Schemes  Policy WA2 Development and Land Drainage  Policy WA5 Protecting Surface Waters  Policy PO4 Noise Sensitive Development</p> <p>Housing development is proposed on land which is identified as a Primarily Industrial Area on the Unitary Development Plan (UDP) Proposals Map. Strategic UDP Policy URN1 seeks to ensure full and effective use of land is made within urban areas. UDP Policy EM8 makes provision for uses within Use Classes B1, B2 and B8 and proposals for the reconstruction, extension or expansion of existing business. Thus the proposal for residential development is a departure from the UDP and has been advertised as such.</p>
<b>3.3.2</b>	<p>The Joint Waste Local Plan for Merseyside and Halton (adopted 18<sup>th</sup> July 2013) is also applicable. Relevant policies are:</p> <p>WM8 Waste Prevention and Resource Management  WM9 Sustainable Waste Management Design and Layout for New Development</p>

<b>3.4 Other Material Planning Considerations</b>	
<b>3.4.1</b>	<p>The National Planning Policy Framework (NPPF) was updated in July 2021. This indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. The need for residential development set against the need for industrial development, potential impacts on the character of the area and compatibility with neighbouring uses, nature conservation, and any other benefits that might be accrued in context with the NPPF and the emerging Local Plan are the principal material considerations in this particular case.</p>
<b>3.4.2</b>	<p>Supplementary Planning Document SPD4 (Parking Standards) is also relevant.</p>
<b>3.4.3</b>	<p><u>Wirral Borough Council – Tree, Hedgerow and Woodland Strategy</u>  This Strategy is a material consideration. It provides amongst other matters that planning applications will need to demonstrate that there will be enough room for the future growth of new and retained trees to ensure long term retention and avoid pressure from future occupiers to top, lop, or fell healthy trees due to safety concerns or effects on living conditions in order to obtain reasonable sunlight and unshaded external amenity space. Planning applications will need to provide sufficient information to enable proper consideration of trees on and around the development site with tree survey and planting scheme with appropriate root protection zones undertaken to the latest British Standard. The selection of new species to be planted will use the “right tree for right place” approach.</p>
<b>3.4.4</b>	<p><u>Emerging Local Plan</u>  The emerging Wirral Local Plan 2021-2037 is now at an advanced stage.</p>
<b>3.4.5</b>	<p>The Proposed Submission Draft Local Plan was approved by the Council for publication and submission to the Secretary of State on 21 March 2022 and published for representations on legal compliance and soundness from 9 May 2022 until 25 July 2022, in accordance with the approved Local Development Scheme. The Council considers the emerging Plan to be sound and submitted it to the Secretary of State for Examination on the 26 October 2022.</p>
<b>3.4.6</b>	<p>The Submission Draft Local Plan proposes to allocate the application site for residential development for approximately 250 dwellings under Policy WP4.2 (RES-SA4.2) alongside the adjacent site at Riverside Park and the development of both sites is intended to take place in accordance with a single comprehensive master plan and design code (MPA-SA4.2). The application site and the adjacent Riverside Park site combined are allocated to create a total of approximately 450 dwellings, to be brought forward together under one masterplan to create one comprehensive, sustainable residential community. Future provision for employment is proposed to be made on alternative sites, not including the application site, under Draft Policy WS 1.2 in the Submission Draft Local Plan.</p> <p>The following additional Submission Draft Local Plan policies are considered to be relevant to this proposal: WS1, WS2, WS3, WS5, WS6, WS7, WS8, WS9, WS10, WP4, WD1, WD3, WD4, WD6 and WD15.</p>
<b>3.4.7</b>	<p>The Submission Draft Local Plan can be afforded weight in decision making in accordance with the guidance in paragraph 48 of the NPPF.</p>
<b>3.4.8</b>	<p>The applicant has nevertheless included a detailed assessment of their proposals designed to demonstrate compliance with relevant policies in the Proposed Submission Draft Local Plan, which is further assessed below.</p>
<b>3.4.9</b>	<p>The NPPF (paragraph 48) advises that local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) 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 c) 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).</p>
<b>3.4.10</b>	<p>Unresolved objections have been submitted to the allocation of the application site for residential development. These relate to the overall adequacy of the future employment land supply; and to some of the other sites identified for future employment development. These will be considered through the Local Plan Examination, expected to be early next year. The Regulation 22 Consultation Statement (Document SD5.1 in the Local Plan Examination library) submitted alongside the Local Plan sets out the Council's response in broad terms to the key issues raised in representations submitted at Regulation 19 stage. In terms of the application site, in relation to the proposed allocation for residential development the Council has only included sites in the land supply where they can be shown to be 'deliverable' or 'developable' in terms of the definitions set out in national planning policy and guidance. Further information is set out in the Strategic Housing Land Availability Assessment 2021 (Document H71 in the Local Plan Examination library), Site Selection Report (Document BP2) and Housing Delivery Strategy (Document BP1). Similarly, the Council is confident that the quantum of employment land provided for by the plan is appropriate and accords with national planning policy. The approach to employment land has been informed by up to date evidence including the Employment Land and Premises Study 2021 (Document EE5).</p>

<b>3.5 Assessment</b>	<p><u>Main Issues</u>  The main issues to be considered are as follows:</p> <ul style="list-style-type: none"> <li>• Principle of Development (Housing v employment land);</li> <li>• Proposed Masterplan (Creation of comprehensive sustainable community);</li> <li>• Housing;</li> </ul>
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	<ul style="list-style-type: none"> <li>• Highways;</li> <li>• Ecology;</li> <li>• Other Matters; and</li> <li>• Section 106 Agreement</li> </ul>
<b>3.6 Principle of Development</b>	
<b>3.6.1</b>	The site is designated as a Primarily Industrial Area within the Wirral Unitary Development Plan. The proposal for residential development on the site is therefore considered to be a departure from the UDP on the basis that Policy EM8 explicitly excludes residential development from the permitted uses. The Council must determine the application in accordance with the Development Plan unless other material considerations indicate otherwise.
<b>3.6.2</b>	<u>Site history</u> The application site has remained vacant since it was cleared and reclaimed by the Council with funding from Homes England (formerly HCA) under planning application APP/05/06929. The process for determining the selection of housing and employment sites is detailed in the Wirral Local Plan Site Selection Report 2022, which was published alongside the Proposed Submission Draft Local Plan in May 2022 (Document BP2 in the Local Plan Examination library).
<b>3.6.3</b>	<u>Submission Draft Local Plan</u> There is a presumption in favour of sustainable development under the terms of the NPPF, paragraph 11, which indicates that development should be approved if it accords with an up to date development plan or if the most important policies are out of date unless policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed or any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole. It does not seek to protect any site that has no reasonable prospect of being used for employment purposes.
<b>3.6.4</b>	The Submission Draft Local Plan proposes to allocate this site and the adjacent Riverside Park site for housing (Policy WP4.2H). It also requires a comprehensive masterplan to ensure that the sites deliver an integrated sustainable community. The proposed allocation is based on weighing up the loss of employment land against the need and suitability of the site for housing.
<b>3.6.5</b>	<u>The need for employment land</u> UDP Policy EM8 is consistent with the NPPF and its focus is on building a strong, competitive economy. It does not seek to protect any site that has no reasonable prospect of being used for employment purposes. In this respect the development plan is not considered to be out-of-date.
<b>3.6.6</b>	National policy expects policies and 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 economic circumstances (NPPF, paragraphs 81 and 82).
<b>3.6.7</b>	It also states that local planning authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs (NPPF, paragraph 121) and that planning policies and decisions need to reflect changes in the demand for land and should be informed by regular reviews of both the land allocated for development in plans and of land availability (NPPF, paragraph 122).
<b>3.6.8</b>	Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan: a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area (NPPF, paragraph 122).
<b>3.6.9</b>	The application site was first identified as a potential additional urban housing allocation in the Wirral Local Plan (Regulation 18) Issues and Options Consultation published in January 2020, as another potentially deliverable. The application site was included after being identified as one of 24 sites for potential re-designation for housing or mixed-use development in the Wirral Employment Land Options Study (ELOS) 2019, on the basis that sites to the southern end of the business park had been known to be subject to residential interest and, if released collectively, were likely to have significant market appeal (Document EE1 in the Local Plan Examination library).
<b>3.6.10</b>	A significant gap funding requirement for delivery for employment had also been identified (Issues and Options, page 99), which is confirmed in the Council's latest Local Plan CIL and Viability Assessment Study 2022 (Document DV1 in the Local Plan Examination library).
<b>3.6.11</b>	At this point only part of the application site was identified for housing (76 units), with the remainder (4.62 hectares) still being identified for future employment development, to accommodate an adjacent business expansion, which has not now taken place (Issues and Options, Appendix 4.6, page 86).
<b>3.6.12</b>	The application site was included in the housing capacity calculations associated with the Council's preferred option of urban intensification with additional urban housing allocations and it was expected that the loss of land for new employment would be made up by sites at Wirral Waters.
<b>3.6.13</b>	The Wirral Employment Land and Premises (WELP) Study 2021, also published in May 2022, provides the most up-to-date review of supply and demand (Document EE5 in the Local Plan Examination library).
<b>3.6.14</b>	The WELP Study identified a very challenging viability position across all development types, in particular office development. It found a potential excess of supply over demand and that it is important not to over-allocate land in areas of plentiful supply as this creates the risk of diluting the market and leaving land vacant which could come forward for alternative uses. The potential reliance on effectively two locations (Birkenhead and Bromborough) also needed to be considered.
<b>3.6.15</b>	The WELP Study concluded that particular focus should be given to sites with an overall rating of 'Good' and 'Very Good' but that not even all of the 'Good' sites would be required, and consideration could be given for the release of certain sites for alternative uses, where appropriate, if on balance, the wider evidence base suggests there is merit in doing this.
<b>3.6.16</b>	With regards to Wirral International Business Park, it concluded that whilst the Park needs to be protected as a whole, there was potential for some of the periphery sites to be released for alternative use.

<b>3.6.17</b>	The application site was categorized as a 'Good Quality Site' and the Site Summary and Recommendations in the Site Proforma in Appendix V states that: "Good' rated sites should form the majority of sites being allocated in the Local Plan for employment use. However, given that the total Net Developable Area of 'Good' and 'Very Good' sites is greater than the estimated required land supply, consideration could be given to releasing or re-allocating some 'Good' Sites for other uses, so long as enough land overall, of sufficient quality, is allocated to meet the assessed demand over the Local Plan period. A review of the wider Local Plan evidence base will also be required to understand whether there is a reasonable prospect of a planning application coming forward for employment uses on such sites and whether there is the potential to secure a more deliverable use that could help to address identified needs. However, in the context of this assessment, B1, B2 or B8 would be most appropriate uses for the site given its location and adjacent land uses".
<b>3.6.18</b>	The applicant believes that the WELP Study does not appear to take account of historic viability and delivery constraints on the application site and believes that the application site would provide new homes in a sustainable location.
<b>3.6.19</b>	<u>Marketing and market signals</u> National planning practice guidance indicates that it may also be relevant to take into account whether the site has been actively marketed for its intended use for a reasonable period and at a realistic price.
<b>3.6.20</b>	In Wirral, previous policies have required applicants to provide evidence of marketing information for the whole application site, including the marketing methodology, copies of the advertisements and evidence to show the site has been marketed for sale of the freehold and to let, solely for industrial purposes within Use Classes B1, B2 and B8, over a continuous period of at least 12 months; and where there are existing buildings on site how the price and terms of existing units are realistic in comparison with similar premises elsewhere within the Borough; and what interest has been shown for those units.
<b>3.6.21</b>	The applicant believes that viability issues, reliance on grant funding and the supply of alternative sites has led to the application site being vacant for more than 15 years. Appendix 7 of the applicants Planning Statement comprises a Marketing and Viability Note prepared by B8 Real Estate ("B8RE") in March 2021.
<b>3.6.22</b>	The Note indicates that the application site has not been conventionally marketed through an agent, because the site is Council-owned and had been pro-actively marketed by the Council's inward investment team (Wirral Chamber) in conjunction with Wirral Council's Asset Management Department. Initial efforts had been centred around a Development Brief issued jointly by English Partnerships & Wirral Council to select a developer to build out the site in 2007 but developer bids significantly under-valued the site and were not progressed.
<b>3.6.23</b>	During the global recession between 2008 and 2013 there was no developer interest and the Council decided to retain the site until market conditions improved.
<b>3.6.24</b>	The B8RE Note also details approaches from occupiers and developers since 2013. In most cases, prospective developers/occupiers only required part of the site and it was not viable to deliver a single building in isolation.
<b>3.6.25</b>	Interest from a company with existing premises to the south of the site was reflected in the Local Plan Issues and Options Consultation, with their specific site requirements reflected in a proposed split of the site between employment and residential use. However, as this interest was not progressed, the proposed split allocation is no longer included in the Submission Draft Local Plan.
<b>3.6.26</b>	The applicant has previously provided similar submissions to the Wirral Development Options Review, in October 2018, to promote the site for mixed-use development; and to the draft Wirral Employment Land and Premises Study, which was published for consultation in early 2021.
<b>3.6.27</b>	A recent financial appraisal of a scheme to provide up to 342,600 square feet of new industrial development indicates the need for £5.5 million gap funding support, equivalent to 17% of total development costs.
<b>3.6.28</b>	As employment, commercial and mixed uses options have been fully explored and tested from both a viability and marketing perspective, the applicant believes that there is no reasonable prospect of the application site being delivered for employment purposes in the foreseeable future. The applicant also believes that other suitable sites are available to make up any shortfall.
<b>3.6.29</b>	<u>Housing Need</u> For applications involving the provision of housing, policies should be considered out of date where a five-year supply of housing land cannot be demonstrated or where housing delivery was substantially below (less than 75% of) the housing requirement for the area over the previous three years (NPPF, paragraph 11d footnote 8 refers).
<b>3.6.30</b>	For Wirral, the provision of a five-year housing land supply is being addressed through the Submission Draft Local Plan.
<b>3.6.31</b>	The latest published calculation of the Borough's housing land supply, within the Council's Strategic Housing Land Availability Assessment 2021, shows a six-year supply. An initial calculation of the position at April 2022, would currently indicate a 5.9 year-supply.
<b>3.6.32</b>	These calculations include the assumed completion of 125 dwellings on the application site within the five year period. Without the application site, the Borough-wide supply at April 2022 would reduce to 5.7 years. Without both the application site and the adjacent site at Riverside Park, the supply would reduce to 5.6 years.
<b>3.6.33</b>	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.
<b>3.6.34</b>	If a slower pace of housing delivery meant that the Council would need to re-apply a 20% buffer in line with NPPF paragraph 74c, the five-year supply would reduce to 5.2 years and without the application site to 5.0 years. Without the application site and the adjoining site at Riverside Park the supply would reduce to only 4.9 years.
<b>3.6.35</b>	The Submission Draft Local Plan seeks to maintain a five-year housing land supply and support an appropriate level of housing delivery throughout the whole of the plan period, not only just within the next five-years and the application site is assumed to deliver completions over the six years from 2024/25, along with the delivery of the adjacent site at Riverside Park (OUT/20/01881) to support a strategy of urban regeneration.
<b>3.6.36</b>	The application site is being relied upon to deliver part of the future housing land supply within the early years of the emerging Local Plan.



	Alongside the adjacent site at Riverside Park this is planned to contribute at least 450 new dwellings to the future housing land supply.
<b>3.6.37</b>	<p><b>Conclusion</b></p> <p>The Submission Draft Local Plan has assessed up-to-date evidence for employment and housing land. It considers that the application site, together with the adjacent Riverside Park site, should be allocated for housing in order to assist Wirral in meeting its five-year housing land supply. Whilst the application is a departure from the current Unitary Development Plan, it is considered that the site is appropriate for housing provided it is brought forward together with the adjacent site to create a new, sustainable residential neighbourhood, and provided the development complies with all other relevant policies in the UDP and Submission Draft Local Plan, and any additional material considerations, such as the marketing evidence provided to demonstrate insufficient interest in the site for its currently allocated use. On balance, the redevelopment of the site for residential purposes can be supported and accords with emerging policy WS1 and WP4.</p>
<b>3.7 Proposed Masterplan</b>	
<b>3.7.1</b>	The Submission Draft Local Plan envisages the application site being brought forward alongside the adjacent site at Riverside Park in accordance with a single comprehensive master plan and design code which has been endorsed by the Council (Policy WS 6.3 - Masterplan Area MPA-SA4.2).
<b>3.7.2</b>	<p>Policy WP 4.2 H in the Submission Draft Local Plan states that development of these sites should be in conformity with a comprehensive masterplan and design code which has been endorsed by the Council to co-ordinate the built form and landscape that demonstrates the delivery of an integrated sustainable community that delivers:</p> <ol style="list-style-type: none"> <li>1. a permeable layout with cycle and pedestrian routes through and to the sites;</li> <li>2. appropriate infrastructure as set out in the Infrastructure Delivery Plan including appropriate provision for: <ol style="list-style-type: none"> <li>i. the maintenance of a 5-metre-wide natural wildlife foraging buffer zone adjacent to the Long Plantation Woodland and Local Wildlife Site along the southern boundary of the eastern part of the sites;</li> <li>ii. public access to the coast, Eastham Country Park and Leverhulme playing fields for cyclists and pedestrians with continuous links to the Wirral Circular Trail;</li> </ol> </li> <li>3. Contributes appropriately and proportionately to: <ol style="list-style-type: none"> <li>i. the cost of managing recreational pressure on Eastham Country Park;</li> <li>ii. controlled crossing facilities at Old Hall Road/ New Chester Road and a pedestrian crossing along Old Hall Road between Riverwood Road and the junction of Old Hall Road and the A41 to enable safe access to schools, shops and community facilities; and</li> <li>iii. enhanced bus stop infrastructure and service.</li> </ol> </li> </ol>
<b>3.7.3</b>	There is no requirement to produce a master plan in the existing adopted UDP, although Policy URN2 could be applied. The requirements are nevertheless firmly based on local circumstances and evidence.
<b>3.7.4</b>	The application is supported by a Design Code, which will be an approved document and must be complied with in any reserved matters application. An illustrative masterplan, based on the principles of the Design Code is also included, and demonstrates how up to 249 dwellings could be achieved on the site. Whilst the Design Code only relates to this application site, it has been drawn up in collaboration with the Design Code for the adjacent site at Riverside Park, to ensure relative consistency between the two sites.
<b>3.7.5</b>	<p>The Design Code contains the following notable mandatory clauses. This list is not exhaustive:</p> <ul style="list-style-type: none"> <li>- Minimum of 200 dwellings, up to a maximum of 249;</li> <li>- Minimum density of 30 homes per hectare, up to maximum of 45 homes per hectare;</li> <li>- Dwelling heights of between two and three storeys (based on Character Areas);</li> <li>- Circa 4,000 square metres amenity green space;</li> <li>- Play space of approximately 2,600 square metres, set a minimum of 20m from habitable rooms, with natural surveillance from nearby dwellings;</li> <li>- Buffer zone with woodland to rear of site</li> <li>- Vehicle, cycle and pedestrian link to Riverside Park development;</li> <li>- 20% affordable housing provision;</li> <li>- 70% family dwellings (3+ bed)</li> <li>- Dwellings to meet Nationally Described Space Standards;</li> <li>- A clear Road hierarchy within the site;</li> <li>- Significant area of on-site SUDS;</li> <li>- Net gain in number of trees</li> </ul> <p>The Design Code will form an approved document and any subsequent Reserved Matters application must demonstrate that it satisfactorily complies with the mandatory clauses set out in the Design Code.</p>
<b>3.7.6</b>	<p><b>Design, Scale and Layout</b></p> <p>The Design Code indicates that the development will have a minimum density of 30 dwellings per hectare, up to a maximum of 45 dwellings per hectare, with dwellings up to 3 storeys. The indicative masterplan shows a clear road hierarchy and areas of open space (including areas left undeveloped for SUDs) contributing positively to making a good place to live. All dwellings will have adequate private amenity space, whilst a commitment to a net gain in trees will ensure that significant tree planting and landscaping will provide a high quality environment. The relatively high-density of the site will ensure best use of the land, whilst the commitment to landscaping, open space and private amenity areas will ensure that the development provides good quality of living for future occupiers.</p>
<b>3.7.7</b>	<p>The specific design of properties will be dealt with at Reserved Matters stage. However, in order to provide character and definition to the development site, the Design Code references four 'character areas', which help to define the development. These are:</p> <ul style="list-style-type: none"> <li>- Avenue (tree-lined avenue through the main arterial route);</li> <li>- Height (townhouse frontage to Old Hall Road);</li> <li>- Heart (higher density with terraces and semi-detached properties in community zones)</li> <li>- Family (more semi-detached and detached with slightly lower density)</li> </ul> <p>This will help to provide variety and interest internally within the site and is an established place-making approach.</p>
<b>3.7.8</b>	The development of this site and the adjoining Riverside Park site will create a new residential neighbourhood of up to 466 new dwellings. A key aspect of discussions has therefore been to ensure that the two sites sit comfortably alongside each other, and have similar characteristics, in order to provide the feeling that the new residential neighbourhood encompasses both sites and does not simply create two communities closed off from one another. There are therefore similar provisions in the Design Code for both sites and the general ethos is similar, to provide a relatively high-density urban development consisting primarily of family dwellings. In order to better integrate the sites with each other, the indicative masterplan for this application shows dwellings on the eastern side of the site facing out towards the Riverside Park development. This will be replicated on the adjacent site. Whilst an area of SUDs and landscaping will separate the two sites, and there are some minor land level differences, the two sites will sit comfortably next to each other, and should complement one another, and will therefore comply with Submission Draft Local Plan Policy WS7.1 Design Principles.
<b>3.7.9</b>	Key to this is the inclusion of a link road between the two sites. Warren Lane runs to the east of the site, sitting outside the defined application site but within the Riverside Park application site. There is therefore a commitment, set out within the Design Code and also

	secured within a legal agreement, for a link from the application site onto Warren Lane where it will meet a similar link within the Riverside Park site. This will provide a direct pedestrian, cycle and vehicle link between the sites. The further benefit of this link is to provide future occupiers of this application site with direct access to Eastham Woods (as well as the sports facilities to the south). This link is critical to secure clear integration and connectivity between the two sites, ensuring that together they create a new, sustainable residential neighbourhood. This link is so critical to the allocation of the two sites for residential purposes that the legal agreement will stipulate that the link must be created prior to more than 70 dwellings on the application site being occupied. On the Riverside Park site the link needs to be created prior to a dwelling being occupied. There is a risk that the application site will not be able to continue building if the link road to Riverside Park is not complete. However, both applicants have accepted the risk. Officers are satisfied that the controls in the S106 will secure access and integration between the two sites thus meeting the need for comprehensive integrated development.
<b>3.7.10</b>	<u>Open Space and Landscaping</u> UDP Policy GR6 requires new on-site publicly accessible public open space, including specific provision for safe children's play at 60sqm for every house with 2 or more bedrooms unless the dwellings are within 400m of an existing accessible public open space of 1.5 hectares or above. The application site is within 400m of Eastham Country Park, which the application site adjoins to the south. The link to the adjacent site to be created as part of this application will improve accessibility to this for future occupiers.
<b>3.7.11</b>	Policy WS 5.2 in the Submission Draft Local Plan will require all new dwellings to be within 720m safe walking distance of a publicly accessible open space of 1.5 hectares or above and to be within 400m of an appropriately equipped open-access facility for children's play.
<b>3.7.12</b>	The application documents indicate that all the properties on the application site will be within a 720m walking distance of Eastham Country Park and that additional public access could be provided from within the site. There is also a commitment within the Design Code for a children's play facility to be provided on-site, with a minimum area of 2,600 square metres. This is secured by condition and would meet the requirements of Policy WS 5.2 providing the open space which is to accommodate the play area is no less than 0.4 hectares in size.
<b>3.7.13</b>	<u>Landscaping</u> The illustrative drawings show that landscaping can be provided within and around the edges of the application site, including a green wildlife corridor along the eastern and western boundaries of the site and a 5m landscape buffer to Eastham Country Park along the southern boundary. An objection has been received stating that a 5 metre buffer was insufficient to protect the integrity of Eastham Woods – however, this has been assessed by the Council's ecological consultants and it is considered that, provided that the buffer is a clear 'no-build zone' and the requirement for the buffer is adequately secured then this is sufficient to protect Eastham Woods. Natural England concur with this assessment and do not object to a 5 metre buffer.
<b>3.7.14</b>	Provision for the protection of trees is made along the eastern and southern boundaries of the site, and at the entrance to the site. There is also a commitment for a net gain of trees on site and the proposal is therefore considered to comply with the Wirral Tree, Hedgerow and Woodland Strategy. This is secured within the approval of the Design Code and a landscaping condition.
<b>3.7.15</b>	A management plan securing appropriate arrangements for ongoing management and maintenance of the open space and landscaping, throughout the lifetime of the development, will be secured within a legal agreement.
<b>3.7.16</b>	<u>Amenity</u> In relation to amenity for future occupiers, the Design Code sets out that all dwellings will meet national space standards, will have sufficient separation distances, and will have a minimum area of private amenity space greater than the footprint of the house. On this basis, and as set out on the indicative masterplan, the development of this site is likely to result in a residential scheme which will provide good living accommodation and conditions for future occupiers, with dwellings of an acceptable size and adequate private amenity space. The landscaping and open space provision will also help to create a good living environment for future occupiers.
<b>3.7.17</b>	The proposed development will border industrial uses to the west of the site. Screen planting is to be secured along this western boundary of the site – this will result in the new dwellings being further from industrial uses on Hardknott Road, whilst also providing some form of buffer between the two uses. This planting will also have the effect of ensuring that Hardknott Road is not fronted by rear boundary treatment of the new dwellings. This is considered sufficient to ensure that the nearby industrial uses do not have a negative impact upon the amenities of future occupiers. The proposal is therefore considered to comply with Wirral UDP Policy HS4.  The equivalent suite of policies in the Submission Draft Local Plan are now WS6.1 Placemaking Principles, Policy WS7.1 Design Principles, Policy WS7.2 Privacy and Amenity, Policy WS7.3 Agent of Change and Policy WS 7.4 Parking.
<b>3.7.18</b>	<u>Sustainable Location</u> It is noted that a previous appeal at the adjacent Riverside Park site for residential use was dismissed partly due to the site being in a relatively isolated location within an industrial area remote from other dwellings and facilities. The aim of Policy WP 4.2 H in the Submission Draft Local Plan is to ensure that the development of the two adjacent sites (the application site and Riverside Park) together creates a critical mass of residential units which will form a new, sustainable residential neighbourhood. This will remove the sense that the dwellings are within an isolated industrial location. The two applications combined will result in a residential neighbourhood of up to 466 dwellings, creating a significantly different living environment for future occupiers when compared with the appeal referenced, which proposed just 75 apartments. This further emphasises the importance of the two sites being brought forward together, with a direct link to each other and with shared infrastructure requirements set out in Section 106 Agreements, in order to create a new residential community.
<b>3.7.19</b>	Additionally, improvements to the local highway network will be secured to enhance the sustainability of this site. Improved pedestrian, cycle and commuter links to Bromborough Village District Centre and The Croft retail park will provide much greater access to services for future occupiers, and lessen the unsustainable and isolated nature which the previous appeal proposal at the adjacent site would have resulted in.

<b>3.8 Housing</b>	
<b>3.8.1</b>	<u>Affordable Housing</u> UDP Policy HSG2 seeks to encourage the provision of affordable housing, which UDP Policy HS6 applies to sites above 1.0 hectare. UDP Policy HS9 seeks the provision of mobility housing on sites which would provide 20 or more dwellings. The latest requirements for affordable housing are set out in the Strategic Housing Market Assessment Update 2021 (SHMA Update Document H8 in the Local Plan Examination library) and the Wirral Local Plan CIL and Viability Assessment Study 2022 (Document DV1). As the application site falls within Value Zone 3 in the Viability Assessment Study, a minimum of 20% affordable housing is required to be provided, of which 25% must be First Homes.
<b>3.8.2</b>	National policy also expects at least 10% of the total number of homes to be available for affordable home ownership, as part of the overall affordable housing contribution from the site (NPPF, paragraph 65 refers).
<b>3.8.3</b>	The application documents indicate that 20% affordable housing is proposed to be provided, on- or off-site, subject to viability testing, which will be secured by legal agreement. Provision at 20% would comply with the needs set out in the SHMA Update and with the

	requirements of Policy WS 3.3 in the Submission Draft Local Plan.
<b>3.8.4</b>	<u>Housing Design Standards</u> The Design Code stipulates that all new dwellings will meet the nationally-described space standards, and will ensure that 6% of the dwellings will be 'wheelchair accessible'. This is in line with the needs identified in the SHMA Update and the requirements of Policy WS 3.1 in the Submission Draft Local Plan.
<b>3.8.5</b>	<u>Zero carbon ready by design</u> The applicants have submitted an energy and sustainability statement to show how the application site could be developed with a package of measures to enable the site to have the potential to be an exemplar project for sustainable development.
<b>3.8.6</b>	<u>Housing Mix</u> Policy WS 3.4 in the Submission Draft Local Plan will seek a minimum of 70% of new market dwellings to be developed for larger, family dwellings, classed as three or more bedrooms, where this is appropriate to the area and in line with local evidence. The Design Code indicates that the scheme will comply with this requirement.
<b>3.8.7</b>	<u>Housing Density</u> The Submission Draft Local Plan seeks to promote the effective use of urban land. The application site does not fall within an identified density zone in the Submission Draft Local Plan and will have a minimum density of 30 dwellings per hectare. This would comply with Policy WS 3.2C in the Submission Draft Local Plan and is secured within the Design Code.

<b>3.9 Highways</b>																												
<b>3.9.1</b>	The application is supported with a Transport Assessment, the contents and results of which are accepted by the Council's Traffic and Transportation division. The assessment covers the accessibility of the development together with the generated vehicle demand and reviews any impacts by comparing the background traffic (including committed development) for both the opening year of 2022 and for a 5 year design horizon to 2027, to ensure that the proposals do not introduce any significant changes to delay, capacity or safety upon the network.																											
<b>3.9.2</b>	The Transport Assessment also includes a cumulative impact assessment using data taken from the TA submitted for the Riverside Park application (OUT/20/01881) to provide a clear understanding of the likely cumulative impacts the two developments could generate on a daily basis.																											
<b>3.9.3</b>	<u>Traffic Impact</u> It was agreed with the applicant that the traffic impact generated by the development would be considered at the following junctions: <ul style="list-style-type: none"> <li>• Old Hall Road/ A41 Chester New Road signal junction;</li> <li>• Old Hall Road/ Riverwood Road/ Bassendale Road priority roundabout; and,</li> <li>• Old Hall Road/ Site Access priority T-junctions.</li> </ul> <p>The traffic impact of the development has been considered for the weekday AM (0800 – 0900) and PM (1700 – 1800) time periods. This reflects typical network peak hours and aligns with the periods adopted in the Wirral Traffic Model (WTM) which was also used within the assessment.</p>																											
<b>3.9.4</b>	It was agreed with the applicant that baseline traffic data would be extracted from the WTM. This is a strategic SATURN model which is curated on Wirral Borough Council's behalf by Mott McDonald (MM). The data extracted from the model also included an allowance for changes in traffic flows forecast to occur as a result of committed developments and future residential and employment growth. In addition, the model also allows for future changes in traffic flows which may occur as a result of committed highway schemes.																											
<b>3.9.5</b>	<u>Assessment Years</u> In accordance with standard transport planning practice, the traffic impact produced by the development has been considered for 2022 and 2027 assessment years. This represents the year of application submission, and a scenario of 5 years post application submission.																											
<b>3.9.6</b>	While the WTM traffic flows represent 2020 and 2025 future years, given the extensive range of committed and planned developments that have been included in the model flows it is considered robust to assume that these flows are also reflective of 2022 and 2027 future year scenarios. The AM and PM traffic flows extracted from the WTM model are considered reflective of the 2022 Baseline 'Without Development' and 2027 Baseline 'Without Development' scenarios respectively.																											
<b>3.9.7</b>	<u>Trip Generation</u> To understand the potential traffic generation of the proposed development interrogations of the TRICS database (version 7.7.1) for the classification 'Residential – Houses Privately owned' range of sites was made. The assessment focused upon sites in similar locations (Suburban/Edge of Town/ Neighbourhood Centre), and which are comparable in terms of scale and accessibility. The use of TRICS and the choice of sites is therefore considered satisfactory.																											
<b>3.9.8</b>	<u>Proposed Development Trip Rates &amp; Trip Generation</u> As can be seen from the table below, during the weekday AM and PM peak hours the proposed development is forecast to generate 125 and 127 two-way vehicle trips respectively.																											
	<table border="1"> <thead> <tr> <th rowspan="2"></th> <th colspan="3">Trip Rate</th> <th colspan="3">Trip Generation</th> </tr> <tr> <th>Arr</th> <th>Dep</th> <th>2 Way</th> <th>Arr</th> <th>Dep</th> <th>2 Way</th> </tr> </thead> <tbody> <tr> <td><b>AM Peak</b></td> <td>0.121</td> <td>0.379</td> <td>0.500</td> <td>30</td> <td>95</td> <td>125</td> </tr> <tr> <td><b>PM Peak</b></td> <td>0.355</td> <td>0.152</td> <td>0.507</td> <td>89</td> <td>38</td> <td>127</td> </tr> </tbody> </table>		Trip Rate			Trip Generation			Arr	Dep	2 Way	Arr	Dep	2 Way	<b>AM Peak</b>	0.121	0.379	0.500	30	95	125	<b>PM Peak</b>	0.355	0.152	0.507	89	38	127
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<b>3.9.9</b>	<u>Trip Distribution</u> The distribution and assignment of vehicle trips associated with the proposed development site was calculated using 2011 Journey to Work (JTW) Census data and RouteFinder software in MapInfo Pro 15.0. These are industry standard software and are therefore accepted by Traffic and Transportation. The distribution was assessed, based on car trips from Mid Layer Super Output Area (MSOA) Wirral 039 which encompasses the proposed development site. The JTW data details the areas individuals travel to access employment opportunities from this MSOA, this methodology is also considered as satisfactory.																											



3.9.10	The traffic distribution exercise suggests that 36% of development traffic would arrive/ depart the site from the east. This traffic is forecast to route via Old Hall Road / Stadium Way, from where traffic has the option to access the A41 via the junctions with Caldbeck Road, Port Causeway or Pool Lane.																																																													
3.9.11	The decision to travel via either Caldbeck Road, Port Causeway or Pool Lane will clearly be dependent of motorist's personal preference. However, it is reasonable to assume that development traffic would naturally dissipate between these routes. Therefore, assuming an even split of traffic it would be expected that around 12% of development traffic would use each route. In both peak hours this would relate to around 15 two-way vehicle trips, i.e. an additional vehicle movement every 4 minutes spread across all junction arms. Such an increase in traffic has no material impact upon the operation of the junctions.																																																													
3.9.12	<p><u>Traffic Impact Assessment</u></p> <p>The traffic impact assessment considered the following junctions:</p> <ul style="list-style-type: none"> <li>• Old Hall Road/ A41 Chester New Road signal junction;</li> <li>• Old Hall Road/ Riverwood Road/ Bassendale Road priority roundabout; and,</li> <li>• Old Hall Road/ Site Access priority T-junctions.</li> </ul> <p>For the purpose of the capacity assessments it was assumed that all development traffic would use a single access point. Given both accesses will provide the same geometric layout this is considered a reasonable assumption, while in capacity terms assuming all traffic uses a single access provides a worst case and a robust assessment.</p>																																																													
3.9.13	<p><u>Old Hall Road/ A41 Chester New Road Junction</u></p> <p>The Old Hall Road signal junction with the A41 Chester New Road was modelled using the LinSig programme which is an acceptable form of modelling the junction. The junction model used signal timing and staging information obtained from Wirral Borough Council.</p>																																																													
3.9.14	The coding of the junction was undertaken to best reflect its "real-world" operation. The give way facilities provided for right and left turners from the A41 New Chester Road were excluded from the model as the signal data provided by WBC indicates that the staging and phasing arrangements at the junction cause this provision to be redundant.																																																													
3.9.15	The left turn lanes from Old Hall Lane have been modelled as a long lane plus a short lane in order to enable LinSig to generate results for this movement.																																																													
3.9.16	The cycle time was determined through interrogation of the signal time information. A cycle time of 85 seconds was adopted for both the AM and PM peaks as this is considered a representative figure to account for LinSig's limitations in respect of modelling variable cycle times.																																																													
3.9.17	<p>The junction has been assessed using the 2027 future year scenario, which represents the worst case scenario. The results of the 2027 Baseline 'Without' and 'With Development' scenarios are provided in the below table;</p> <table border="1" data-bbox="384 1314 1497 1843"> <thead> <tr> <th rowspan="3"></th> <th colspan="4">2027 Baseline Without Development</th> <th colspan="4">2027 Baseline With Development</th> </tr> <tr> <th colspan="2">AM Peak</th> <th colspan="2">PM Peak</th> <th colspan="2">AM Peak</th> <th colspan="2">PM Peak</th> </tr> <tr> <th>DoS</th> <th>Queue</th> <th>DoS</th> <th>Queue</th> <th>DoS</th> <th>Queue</th> <th>DoS</th> <th>Queue</th> </tr> </thead> <tbody> <tr> <td><b>A41 North</b></td> <td>59.9</td> <td>11</td> <td>55.7</td> <td>10</td> <td>60.0</td> <td>11</td> <td>59.2</td> <td>11</td> </tr> <tr> <td><b>Old Hall Road</b></td> <td>27.2</td> <td>3</td> <td>53.8</td> <td>4</td> <td>30.2</td> <td>3</td> <td>57.3</td> <td>4</td> </tr> <tr> <td><b>A41 South</b></td> <td>60.4</td> <td>11</td> <td>56.7</td> <td>8</td> <td>60.5</td> <td>11</td> <td>55.5</td> <td>8</td> </tr> <tr> <td><b>PRC</b></td> <td colspan="2">49.1</td> <td colspan="2">58.8</td> <td colspan="2">48.7</td> <td colspan="2">52.0</td> </tr> </tbody> </table> <p><b>Old Hall Road/ A41 Chester New Road Junction – 2027 Baseline without and with development</b></p>		2027 Baseline Without Development				2027 Baseline With Development				AM Peak		PM Peak		AM Peak		PM Peak		DoS	Queue	DoS	Queue	DoS	Queue	DoS	Queue	<b>A41 North</b>	59.9	11	55.7	10	60.0	11	59.2	11	<b>Old Hall Road</b>	27.2	3	53.8	4	30.2	3	57.3	4	<b>A41 South</b>	60.4	11	56.7	8	60.5	11	55.5	8	<b>PRC</b>	49.1		58.8		48.7		52.0	
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3.9.18	The results presented demonstrate that under 2027 'Without Development' traffic conditions the A41/ Old Hall Road junction is forecast to operate within capacity in both the AM and PM peaks. The forecast Practical Reserve Capacity (PRC) values in both peaks indicate a considerable degree of spare capacity at the junction. The junction's good level of operation is also shown in the minimal Degree of Saturation (DoS) and Mean Max. Queue (MMQ) values forecast for the junction arms. Of the forecast DoS values generated by LinSig, none are close to or exceeding 90%.																																																													
3.9.19	The table also demonstrates that the addition of development traffic at the junction will have an immaterial impact on its operation with the junction continuing to operate well within capacity. A comparison between the 'Without Development' and 'With Development' assessments reveals that only small changes in PRC, DoS and MMQ values are expected to occur.																																																													
3.9.20	<p><u>Old Hall Road/ Riverwood Road/ Bassendale Road priority roundabout:</u></p> <p>In terms of overall impact the proposed development is forecast to increase traffic across the roundabout junction as a whole by only 4.3% during the AM peak hour and 5.4% during the PM peak hour. The below table quantifies this increase in terms of absolute traffic flows.</p> <table border="1" data-bbox="384 2347 1497 2703"> <thead> <tr> <th></th> <th>AM Peak Hour</th> <th>PM Peak Hour</th> </tr> </thead> <tbody> <tr> <td><b>Old Hall Road North</b></td> <td>11</td> <td>32</td> </tr> <tr> <td><b>Riverwood Road</b></td> <td>0</td> <td>0</td> </tr> <tr> <td><b>Bassendale Road</b></td> <td>0</td> <td>0</td> </tr> <tr> <td><b>Old Hall Road West</b></td> <td>34</td> <td>14</td> </tr> </tbody> </table> <p><b>Old Hall Road / Riverwood Road Forecast Change in Traffic Flow</b></p>		AM Peak Hour	PM Peak Hour	<b>Old Hall Road North</b>	11	32	<b>Riverwood Road</b>	0	0	<b>Bassendale Road</b>	0	0	<b>Old Hall Road West</b>	34	14																																														
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3.9.21	The above table shows that during the AM peak hour the proposed development is forecast to increase traffic on the western Old Hall Road arm by 34 vehicles, and on the northern Old Hall Road arm by 11 vehicles. This equates to an additional vehicle every 2 minutes and																																																													

	6 minutes respectively.																							
3.9.22	During the PM peak hour, the reverse impact is evident, with an additional vehicle forecast every 2 minutes on the northern Old Hall Road arm and every 4.5 minutes on the western Old Hall Road arm.																							
3.9.23	Such an increase would be within the fluctuations in traffic flow that the junction would be expected to experience on a daily basis, and therefore in practice the impact of the development on the typical operation of the junction would be imperceptible. In addition, observations suggests that both Old Hall Road arms of the junction operate with 'normal' traffic speeds, there are no reasons to conclude that the introduction of development traffic would result in any arm operating over capacity.																							
3.9.24	It is therefore concluded that the proposed development would have no material impact upon the operation of this junction.																							
3.9.25	<i>Old Hall Road / Site Access Junctions:</i> The operation of the proposed site access junctions with Old Hall Road was assessed using the JUNCTIONS modelling programme. Given both accesses will provide the same geometric layout, and main line passing flows on Old Hall Road will not materially differ between the two accesses, the junction model was run assuming all development traffic uses a single point of access. This represents a worst case scenario and is considered an acceptable approach by Traffic and Transportation.																							
3.9.26	The junction was tested using the 2027 Baseline 'With Development' traffic flows. The assessment results are provided in the below table. <table border="1" data-bbox="384 753 1503 1113"> <thead> <tr> <th rowspan="3"></th> <th colspan="4">2027 Baseline With Development</th> </tr> <tr> <th colspan="2">AM Peak</th> <th colspan="2">PM Peak</th> </tr> <tr> <th>RFC</th> <th>Queue</th> <th>RFC</th> <th>Queue</th> </tr> </thead> <tbody> <tr> <td>Site Access</td> <td>0.20</td> <td>0</td> <td>0.08</td> <td>0</td> </tr> <tr> <td>Old Hall Road</td> <td>0.04</td> <td>0</td> <td>0.11</td> <td>0</td> </tr> </tbody> </table> <p><b>Old Hall Road / Site Access Junctions 2027 Baseline with and without development.</b></p>		2027 Baseline With Development				AM Peak		PM Peak		RFC	Queue	RFC	Queue	Site Access	0.20	0	0.08	0	Old Hall Road	0.04	0	0.11	0
	2027 Baseline With Development																							
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	RFC	Queue	RFC	Queue																				
Site Access	0.20	0	0.08	0																				
Old Hall Road	0.04	0	0.11	0																				
3.9.27	The results to the above table demonstrate that both the proposed site access junctions with Old Hall Road are forecast to operate well within capacity during both the AM and PM peak hours.																							
3.9.28	<i>Cumulative Impact Assessment</i> As noted, the plans for a residential development on land within Riverside Park are also currently being progressed under planning application ref OUT/20/01881.																							
3.9.29	The planning application and supporting Transport Assessment prepared by Curtins have been revised, with the latest layout now proposing a total of 217 units, comprising an indicative 48 apartments and 169 houses.																							
3.9.30	To fully inform the highway authority an additional cumulative assessment was undertaken to understand the traffic impact of both schemes coming forward.																							
3.9.31	Reference to the Transport Assessment submitted by Curtins confirms that the site has planning permission for B1 office space, secured under application OUT/2001/5862. Of this consented floorspace the report details that 9,750sqm GFA has been constructed and is in use.																							
3.9.32	Traffic flows relating to this area of floorspace would therefore be included in the WTM base traffic flows adopted in this assessment.																							
3.9.33	The below table taken from the Curtins report provides a trip generation analysis for the 9,750sqm of constructed floorspace. <table border="1" data-bbox="384 1872 1503 2089"> <thead> <tr> <th></th> <th>Arr</th> <th>Dep</th> <th>2 Way</th> </tr> </thead> <tbody> <tr> <td>AM Peak</td> <td>121</td> <td>17</td> <td>137</td> </tr> <tr> <td>PM Peak</td> <td>11</td> <td>83</td> <td>93</td> </tr> </tbody> </table> <p><b>Riverside Park constructed Floor Space Traffic Generation</b></p>		Arr	Dep	2 Way	AM Peak	121	17	137	PM Peak	11	83	93											
	Arr	Dep	2 Way																					
AM Peak	121	17	137																					
PM Peak	11	83	93																					
3.9.34	The above table shows the existing floorspace on Riverside Park could be expected to generate 137 two-way trips during the AM peak hour and 93 two-way trips during the PM peak hour. The below table taken from the Curtins Transport Assessment then provides the trip rates that they have calculated for the proposed houses and apartments. These trip rates have been applied to the latest iteration of the Riverside Park masterplan to derive traffic flows for the development. These are summarised in the below.																							

	Houses Trip Rates			Houses Trips (169 units)		
	Arr	Dep	2 Way	Arr	Dep	2 Way
<b>AM Peak</b>	0.124	0.344	0.468	21	58	79
<b>PM Peak</b>	0.307	0.153	0.460	52	26	78
	Apartment Trip Rates			Apartment Trips (48 units)		
	Arr	Dep	2 Way	Arr	Dep	2 Way
<b>AM Peak</b>	0.055	0.189	0.244	3	9	12
<b>PM Peak</b>	0.168	0.083	0.251	8	4	12
	Total Trips					
	Arr	Dep	2 Way			
<b>AM Peak</b>	24	67	91			

**Riverside Park Proposed Residential Development Traffic Generation**

<b>3.9.35</b>	The above results confirms the residential development proposed on Riverside Park is forecast to generate 91 two-way trips during the AM peak hour and 90 two-way trips during the PM peak hour.
<b>3.9.36</b>	By comparison of the two tables it is therefore evident that, when compared to the existing employment space on Riverside Park, the residential floorspace proposed is forecast to generate 34 less trips during the AM peak hour and 3 less trips during the PM peak hour.
<b>3.9.37</b>	It is therefore concluded that the residential floorspace on Riverside Park would not increase total traffic flows on the highway network surrounding the site when compared to the existing site traffic.
<b>3.9.38</b>	<u>Traffic Impact Assessment Conclusions</u> The assessment utilised baseline traffic data extracted from the Council's strategic traffic model. These flows included a robust allowance for committed and projected housing and employment growth, as well as committed highway schemes. The development trip generation was calculated using the industry standard TRICS database, with vehicle trips assignment using the MapInfo GIS software. The traffic impact assessment concluded that the proposed development would not materially alter the operation of any existing junction on the surrounding highway network, while the proposed Old Hall Road site access junctions are forecast to operate within capacity. These findings are satisfactory.
<b>3.9.39</b>	<u>Traffic Impact Conclusion</u> Based on the above, it is concluded that the traffic impact of the development on the highway network is acceptable.
<b>3.9.40</b>	The indicative masterplan indicates that dwellings will have sufficient off-street parking, in compliance with SPD4, whilst cycle parking is to be secured via condition. In addition, to further enhance the sustainability of the site and to enhance accessibility to services for future occupiers, a contribution will be secured to upgrade two bus stops on Old Hall Road and will ensure that travel by bus is a more enticing alternative to travel by car, enhancing the sustainability of the site.
<b>3.9.41</b>	<u>Access</u> Vehicle access into the site is proposed from two new priority-controlled junctions with Old Hall Road. Both junctions provide visibility splays of 2.4 metres x 43 metres in both directions, which are appropriate for a road with a 30mph speed limit and are considered satisfactory. A general arrangement drawing of the proposed site accesses is provided and this illustrates how both junctions will serve an adoptable standard internal road network with a 6 metre carriageway. The drawing also illustrates the approximate extent of the access roads for which planning permission is sought, with the details of the internal road network beyond this point to be determined at Reserved Matters stage. Details of any Traffic Regulation Orders which are required to ensure appropriate visibility splays are maintained and kept free from parked vehicles at the proposed site access junctions will be agreed at detailed design stage.
<b>3.9.42</b>	A further vehicle access point is proposed on the eastern side of the site, which will provide a connection to Warren Lane and then onto the adjacent Riverside Park development. The section of Warren Lane that the development's internal access road crosses to provide permeability through the site and through to the adjacent Riverside Park is not adopted highway – however, the internal access road follows in part a Public Right of Way (PROW) and any works which include this will require the prior approval from Wirral Council, as Local Highway Authority.
<b>3.9.43</b>	As the proposed link follows the alignment of an existing PROW this element will need to remain open to the public for perpetuity and sign-posted accordingly as a PROW. The further detail of the route within Riverside Park is provided within the planning application documents submitted in relation to application OUT/20/01881.
<b>3.9.44</b>	Service vehicles will be able to access the site via either of the Old Hall Road junctions. Submitted drawing VN201699/003 Rev C provides an AutoTRACK assessment of an 11.5 metre refuse vehicle using both junctions. This drawing illustrates that required vehicle movements can be safely undertaken without the need for a vehicle to reverse onto Old Hall Road. The internal site layout will be required to be designed to accommodate the turning requirements of a refuse collection vehicle to ensure that Manual for Streets refuse collection guidelines are met. This detail can be agreed at Reserved Matters stage.
<b>3.9.45</b>	Pedestrian and cycle access into the site is achieved by both the priority junctions and also by other specific pedestrian / cycle routes into the site, including the proposed link road between the two sites which follows the existing PROW. All accesses have appropriately fashioned dropped kerbs, tactile paving and corduroy paving as necessary and are therefore considered appropriate.
<b>3.9.46</b>	<u>Off-Site Highway Works</u> The proposed development will result in a new residential neighbourhood being created. To ensure that new residents have adequate access to services within the surrounding area, the following highway works are to be secured. These works are required for this individual

	<p>development but the contribution to the works will be shared with the adjacent Riverside Park development, should both sites be developed:</p> <ul style="list-style-type: none"> <li>• The formation of footways continuous to the developments' boundaries along Riverwood Road and Old Hall Road stretching from the 'Riverside' development boundary in the east to the A41 / Old Hall Road junction in the west;</li> <li>• The provision of cycle improvements taking in Riverwood Road, the gyratory and Old Hall Road to the A41 junction to form a segregated cycleway/footway;</li> <li>• Cycle improvements to include the Riverwood Road roundabout, providing improvements to the existing crossing provisions for pedestrians and cyclists. A route through to the Croft Retail Park utilising the Riverwood Road roundabout junction. All cycle improvements to accord with LTN 1/20 requirements and 'Sustrans' best practice;</li> <li>• The inclusion of pedestrian crossing and cycle crossing facilities at the A41 / Old Hall Road junction across the eastern arm of the junction.</li> <li>• Dropped kerbs and tactile paving will be required to all internal junctions and at the site access junctions onto Old Hall Road.</li> <li>• Vehicle accesses to form adoption standard priority junctions onto Old Hall Road as necessary.</li> <li>• Vehicular, pedestrian and cycle link with the adjacent site across Warren Lane;</li> <li>• Contribution to the upgrade of two bus stops on Old Hall Road.</li> </ul>
<b>3.9.47</b>	Although many of these works are also required for the adjacent Riverside Park site, they are considered necessary even if only one of the sites was developed out. The Section 106 Agreements for both sites will therefore require these works to be carried out and/or paid for by whichever development is brought forward first, with clawback provisions in each Agreement that requires half the costs to be reimbursed to the first developer once the second development is brought forward. This again emphasises the integrated nature of the two sites.
<b>3.9.48</b>	The provision of a residential travel plan will be secured through condition given the scale of development proposed.

<b>3.10 Ecology</b>	
<b>3.10.1</b>	<p><u>Habitats Regulations Assessment</u> The application site is near to the following nationally and internationally designated sites:</p> <ul style="list-style-type: none"> <li>• Mersey Estuary SPA (696m NE at nearest point);</li> <li>• Mersey Estuary Ramsar and SSSI (696m NE at nearest point);</li> </ul>
<b>3.10.2</b>	<p>The proposals and the possibility of likely significant effects on sites using the source-pathway-receptor model have been considered. There are pathways between the proposals and the national and international sites and, therefore, the proposal requires Habitats Regulations Assessment for likely significant effects. The applicant has submitted the following reports in support of the planning application:</p> <ul style="list-style-type: none"> <li>• Shadow Habitats Regulations Assessment (sHRA) (<i>UES Ltd, 20 May 2022, UES02491/08</i>); and</li> <li>• Framework of Mitigation Measures of Increased Recreational Pressure (<i>UES Ltd, 20 May 2022, UES02491/07</i>).</li> </ul>
<b>3.10.3</b>	These documents conclude that there will be likely significant effects due to increased recreational pressure. The Appropriate Assessment therefore includes an in-combination assessment with the Reg 19 Wirral Local Plan sites and the assessment considers it likely that the proposed development would result in an increase in visitors and recreational pressure when considered in-combination. The conclusions of the sHRA are accepted.
<b>3.10.4</b>	<p>Due to the potential impact of the development on protected sites the following mitigation measures are to be secured within the legal agreement:</p> <ul style="list-style-type: none"> <li>• Payment of a commuted sum to mitigate recreational pressure. Using Wirral's draft interim approach on the mitigation of recreational pressure, which was published with the Regulation 19 draft Wirral Local Plan consultation, a commuted sum figure of £280.26 per dwelling has been agreed. This gives a total of £69,784.74 (based on a maximum of 249 dwellings). This commuted sum is to be used towards enhancing Suitable Alternative Natural Greenspaces (SANG) and towards Strategic Access Management and Monitoring (SAMM) measures. This will include the enhancement and management of Eastham Woods local wildlife site (in order for it to act as a SANG and to take visitors away from the designated coastal sites). This may include the provision of pathway improvements (including knee-high rails to protect areas of bluebells and woodland within Eastham Woods), new signage and tree canopy thinning and management works. Funding will also be provided for SAMM measures on the Wirral coast, including signage and interpretation boards, path management and fencing;</li> <li>• Provision of information in sales packs for new occupants, informing residents of the importance of the internationally designated sites, responsible user code, and the location of SANGs.</li> </ul>
<b>3.10.5</b>	Natural England have been consulted upon the conclusions of the HRA, and do not object on the basis of the above mitigation measures being secured.
<b>3.10.6</b>	<p><u>Bats</u> Following a ground-based and endoscopic inspection, trees T4, T5 and T7 (locations shown in Appendix 1 of the Bat Tree Assessment report) were considered to provide low bat roost potential. In line with best practice, felling of these trees should employ soft felling techniques under supervision of a suitably qualified ecologist. This has been secured via condition.</p>
<b>3.10.7</b>	Habitats on site or adjacent to the site may provide foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. A condition is therefore attached to secure a lighting scheme which is designed so that it protects ecology and does not result in excessive light spill onto the habitats, in line with NPPF paragraph 180.
<b>3.10.8</b>	<p><u>Amphibians and reptiles</u> The potential presence of great crested newt on the application site was discounted by the applicant's ecological consultant and this is accepted. However, common frog was recorded upon the site. Habitats present were considered suitable for reptile, although the site was considered to be isolated from other areas of potential reptile habitat, thereby lessening the likelihood of their presence onsite. As a precaution, a condition has been attached to secure the following Reasonable Avoidance Measures (RAMs) during the construction phase:</p> <ul style="list-style-type: none"> <li>• Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians / reptiles present to move away from the affected areas;</li> <li>• The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians / reptiles from seeking shelter or protection within them; and</li> </ul>



	<ul style="list-style-type: none"> <li>Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians / reptiles from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians / reptiles.</li> </ul>
<b>3.10.9</b>	Vegetation on site may provide nesting opportunities for breeding birds, and the proposed development will result in the loss of bird breeding habitat. To mitigate for this loss, a condition has been attached to secure details of bird nesting boxes to be incorporated into the scheme.
<b>3.10.10</b>	<p><u>Terrestrial mammals</u></p> <p>Habitats onsite are suitable for hedgehog, which is considered a Priority Species, and UDP policy NC7 applies. A condition has therefore been attached to secure the following Reasonable Avoidance Measures:</p> <ul style="list-style-type: none"> <li>A pre-commencement check for hedgehog;</li> <li>All trenches and excavations should have a means of escape (e.g. a ramp);</li> <li>Any exposed open pipe systems should be capped to prevent hedgehogs gaining access; and</li> <li>Appropriate storage of materials to ensure that hedgehogs do not use them.</li> </ul>
<b>3.10.11</b>	<p><u>Invasive species</u></p> <p>Wall cotoneaster and Montbretia are present within the site boundary. These species are listed on Schedule 9 of the Wildlife and Countryside Act and national Planning Policy Guidance applies. A condition has therefore been attached to require the submission of a Method Statement which includes the following information:</p> <ul style="list-style-type: none"> <li>A plan showing the extent of the plants;</li> <li>The methods that will be used to prevent the plant/s spreading further, including demarcation;</li> <li>The methods of control that will be used, including details of post-control monitoring; and</li> <li>How the plants will be disposed of after treatment/removal.</li> </ul>
<b>3.10.12</b>	<p><u>Construction Environmental Management Plan (CEMP)</u></p> <p>A Construction Environmental Management Plan (CEMP) will be required in order to manage and mitigate the main environmental effects during the construction phases of the proposed development, and a condition has therefore been attached to secure this. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts. It should include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>Amphibian and reptile RAMs;</li> <li>Hedgehog RAMs;</li> <li>Soft-felling of trees with low bat roost potential (identified as trees T4, T5 and T7 in Bat Tree Assessment report);</li> <li>Measures to avoid harm to breeding birds;</li> <li>Tree and woodland protection measures; and</li> <li>Measures to avoid the transfer of construction-related pollutants into adjacent Eastham Woods LWS.</li> </ul>
<b>3.10.13</b>	<p><u>Site Waste Management</u></p> <p>The applicant has included some information in the Energy and Sustainability Strategy (<i>Hannan Associates MEP Designs 17<sup>th</sup> May 2022</i>) regarding designing out waste. Which is welcomed. However, there are no specific details on waste types, estimated volumes or fates. 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 Joint Waste Local Plan (WLP) and Planning Practice Guidance (paragraph 49) require the minimization of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimization of off-site disposal. A condition has therefore been attached to secure a site waste management plan demonstrating how this will be achieved.</p>
<b>3.10.14</b>	<p><u>Biodiversity Net Gain (BNG)</u></p> <p>The applicant has agreed to provide a biodiversity uplift as part of the scheme. A baseline assessment of the biodiversity of the site, determined in biodiversity/habitat units has been submitted and indicates that the existing site has a baseline of 57.24 units. As the application is only at outline stage it is not possible to definitively determine the biodiversity impact of the development. However, to ensure that the development provides a biodiversity uplift, a Landscape and Ecological Landscape Plan and a Biodiversity Metric Net Gain Calculation will be submitted with the first Reserved Matters application. This will allow a clear assessment of whether the development results in an uplift in biodiversity on the site. Where there is no uplift identified or there is a net loss in biodiversity, then on-site mitigation measures will be required. Where full on-site mitigation cannot be achieved, a contribution will be required to allow the Council to improve habitats off-site. This has been agreed as a commuted sum of £10,000 per habitat unit. This will be secured within the Section 106 Agreement. On this basis, it is considered that the proposal satisfactorily complies with Paragraph 180 of the NPPF, which states that applications should otherwise be refused if development leads to significant harm to biodiversity, unless it can be adequately mitigated for.</p>
<b>3.11 Other Matters</b>	
<b>3.11.1</b>	<p><u>Drainage</u></p> <p>In accordance with Paragraph 167 and 169 of the NPPF, the applicant has submitted a Flood Risk Assessment and Drainage Strategy. This has been assessed by the Lead Local Flood Authority and it is concluded that, subject to conditions, the applicant has adequately demonstrated that the proposed development of this site will not increase flood risk either on or off site.</p>
<b>3.11.2</b>	<p><u>Social Value</u></p> <p>Submission Draft Local Plan Policy WS 2 states that for major developments, where appropriate, the Council will seek to enter into a legal agreement relating to the use of local labour and provision of training and skills for the local community, using an agreed employment and skills plan. The applicant has agreed to this and this will be secured within the Section 106 Agreement.</p>
<b>3.11.3</b>	<p><u>Compatibility with surrounding uses</u></p> <p>Policy WS4.2 in the Submission Draft Local Plan will require that the uses proposed are compatible with the surrounding area and would not restrict the operation or function of existing employment uses. A previous hazardous substances consent, on a site to the north-east of the application site, was revoked in October 2020 and no longer provides a constraint to future development. It is otherwise not considered that the introduction of residential development on this site would restrict the operation or function of existing uses within the Wirral International Business Park.</p>
<b>3.11.4</b>	<p><u>Education Capacity</u></p> <p>Policy WS 10.1 - Provision of Infrastructure, in the Submission Draft Local Plan requires proposals to have regard to the Infrastructure Delivery Plan that accompanies the Local Plan (Document KSD1 in the Local Plan Examination library) and to demonstrate that there is sufficient appropriate infrastructure capacity to support the development or that such capacity will be delivered by the proposed development. In this instance, an assessment of school capacity has been carried out as part of the development of the Infrastructure Delivery Plan and this has identified that there are sufficient school places within the school planning area to accommodate the likely pupil yield from this development.</p>

3.11.5	<p><u>Archaeology</u> There is one heritage asset recorded on the Merseyside Historic Environment Record within the proposed development site – MME3417, possible location of Bromborough Old Hall, Old Hall Road, Bromborough. A condition has therefore been attached to secure a programme of archaeological works, to be undertaken in accordance with a Written Scheme of Investigation.</p>

3.12 Section 106 Agreement	
3.12.1	<p>The terms of a Section 106 Agreement have been agreed with the applicant on the basis of the following provisions:</p> <ul style="list-style-type: none"> <li>• Recreational Pressure contribution of £69,784.74;</li> <li>• Bus Stop contribution ((£27,000 to enhance two existing bus stops on Old Hall Road – this cost is to be split between this application and OUT/20/01881);</li> <li>• Affordable Housing (minimum of 20%);</li> <li>• Homeowner Information Packs (to help offset Recreational Pressure);</li> <li>• Biodiversity Net Gain contribution (subject to information to be submitted at Reserved Matters);</li> <li>• Highways Works (as set out in the main report);</li> <li>• Warren Lane Works (including securing the link between the two sites);</li> <li>• Public Open Space Management Plan;</li> <li>• Employment and Skills Management Plan;</li> <li>• Monitoring Costs (for the Agreement and for the Employment and Skills Management Plan)</li> </ul>

Conclusion	
	<p>In conclusion, the applicant has demonstrated that there is little prospect of the site being brought forward for its currently designated purpose. Its development for residential purposes will therefore contribute a significant number of units to the housing supply for the Borough. In accordance with emerging Policy WP 4.2 H in the Submission Draft Local Plan, the scheme has been brought forward together with the adjacent Riverside Park site, in a comprehensive manner with associated infrastructure, to create a new residential community of up to 466 dwellings.</p> <p>The development will be intrinsically linked to the development of the adjacent Riverside Park site with clear physical and visual links between the two sites, ensuring that the two sites together will form a sustainable, comprehensive residential neighbourhood which complies with the requirements set out in the Submission Draft Local Plan.</p> <p>The submitted Design Code sets out that the proposed development will provide satisfactory living conditions for future occupiers of the site, with a minimum of 70% family dwellings set within a relatively well landscaped development, with adequate individual and communal amenity space and landscaping provided, again, in line with the Submission Draft Local Plan.</p> <p>The proposed highway impacts of the development are considered to be acceptable and the highway improvements works secured will ensure that the development will create a sustainable community with good access to local services for pedestrians, cyclists and vehicles.</p> <p>The impact of the proposed development on nearby protected ecological sites will be adequately mitigated and secured by requirements in the attached Section 106 Agreement and/or conditions, and the proposal is therefore considered to comply with the policies set out within the adopted Wirral Unitary Development Plan, the Submission Draft Local Plan and the National Planning Policy Framework.</p> <p>The proposal is considered to be acceptable in all other regards and is therefore acceptable when assessed against the Wirral Unitary Development Plan, Submission Draft Local Plan and the National Planning Policy Framework.</p>

Recommended Decision:	<p><b>Conditional Approval Subject to the following Section 106 Agreement Heads of Terms:</b></p> <ul style="list-style-type: none"> <li>• Recreational Pressure contribution of £69,784.74;</li> <li>• Bus Stop contribution (£27,000 to enhance two existing bus stops on Old Hall Road);</li> <li>• Affordable Housing (minimum of 20%);</li> <li>• Homeowner Information Packs (to help offset Recreational Pressure);</li> <li>• Biodiversity Net Gain contribution (subject to information to be submitted at Reserved Matters);</li> <li>• Highways Works (as set out in the main report);</li> <li>• Warren Lane Works ( including securing the link between the two sites);</li> <li>• Public Open Space Management Plan;</li> <li>• Employment and Skills Management Plan;</li> <li>• Monitoring Costs (for the Agreement and for the Employment and Skills Management Plan)</li> </ul>
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<p><b>Recommended Conditions and Reasons:</b></p> <p>1. Application for approval of the reserved matters shall be made to the local planning authority not later than [3] years from the date of this permission Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990</p> <p>2. No development shall commence on the site until details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority: (a) The external appearance of the development; (b) The landscaping of the site; (c) The Layout of the development; and (d) The Scale of the development The development shall be carried out in accordance with the approved details. Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92(as amended) of the Town and Country Planning Act 1990.</p> <p>3. The development hereby permitted shall be implemented no later than [2] years from the date of approval of the last of the reserved matters to be approved. Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990</p> <p>4. All reserved matters applications shall be in accordance with the parameters and guidance set out in the approved Design Code document (11996-AEW-XX-</p>
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XX-PP-A-005 P15). All reserved matters applications shall include a Statement of Conformity of how the development complies with the approved Design Code document

Reason: To ensure that the development delivers a high quality built environment which complies with all relevant national and local planning policy

5. No development involving the use of any facing materials shall take place until samples or details of the materials to be used in the construction of external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area having regards to the Wirral Unitary Development Plan

6. Prior to the commencement of any development and as part of an application for the approval of reserved matters for layout, appearance, scale and landscaping full details of a sustainable surface water drainage system to serve the site and method of implementation shall be submitted for consideration by the Local Planning Authority in consultation with Lead Local Flood Authority. The drainage strategy shall comply with the terms of condition (set out as an informative) and shall be developed in accordance with the discharge hierarchy and limit the surface water discharge rate to the greenfield equivalent. The sustainable surface water drainage strategy shall be in accordance with the following submitted documents:

- Design Code – Former MOD site Bromborough (28.06.2022/11996-AEW-XX-XX-PP-A-005 P15/ AEW Architects)
- Flood Risk Assessment – Old Hall Road, Bromborough (28.06.2022/ 076574-CUR-00-XX-RP-C-00001/ V04/Curtins)

Reason: To ensure a satisfactory drainage system is provided to serve the site in accordance with Paragraphs 167 & 169 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

7. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in perpetuity in accordance with an agreed Operation and Maintenance Plan, to be submitted for each development phase, approved by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The approved drainage scheme shall be **fully constructed prior to occupation** in accordance with the approved details, phasing and timetable embodied within the approved final Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, in accordance with any approved phasing, prior to occupation.

**Reason:** To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraph 167 and 169 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

8. If utilised for the drainage of surface water from the site, the existing length of private sewer on Riverwood Road from the development site to the public sewer must be offered for adoption at adoptable standards to the water and sewerage company at the earliest opportunity and evidence of an agreement in principle must be provided to the Local Planning Authority prior to the commencement of any development.

**Reason:** To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraph 167 and 169 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

9. No development or demolition shall take place until the implementation and submission of a report on a programme of archaeological works. That programme of archaeological works should be undertaken in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority prior to works taking place. The WSI must include the following five steps:

- A phased programme and methodology of site investigation and recording;
- A programme for post-investigation reporting to include production of a final report of the significance of the below-ground archaeological interest;
- Provision for appropriate publication and dissemination of the archaeology and history of the site;
- Provision for archive deposition of the report, finds and records of the site investigation; and
- Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI

Reason: To provide sufficient information in relation to archaeology, having regards to Paragraph 205 of the National Planning Policy Framework

10. No tree felling, scrub clearance, hedgerow removal, vegetation management and / or ground clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval, and the approved details adhered to in full

Reason: In the interests of ecology having regards to Wirral Unitary Development Plan Policy NC7

11. THE DEVELOPMENT HEREBY PERMITTED SHALL NOT BE OCCUPIED UNTIL details of bird nesting and bat boxes, to include their location, number and type on a suitably scaled plan, and the timing of their installation, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the boxes shall be installed in accordance with the approved details and retained.

Reason: In order to mitigate for the loss of nesting bird habitat in accordance with the objectives of saved policy NC7 of the Wirral Unitary Development Plan.

12. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) document shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts. The CEMP should include, but not be limited to, the following:

- Amphibian and reptile RAMs;
- Hedgehog RAMs (pre-commencement check; all trenches and excavations shall have means of escapes; exposed open pipes shall be capped; appropriate storage of materials);
- Soft-felling of trees with low bat roost potential (identified as trees T4, T5 and T7 in Bat Tree Assessment report);
- Measures to avoid harm to breeding birds;
- Tree and woodland protection measures; and
- Measures to avoid the transfer of construction-related pollutants into adjacent Eastham Woods LWS

Reason: To manage and mitigate the main environmental effects during the construction phases of the proposed development

13. No development shall take place until a Site Waste Management Plan, confirming how construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policies WM8 of the Waste Local Plan.

14. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- A site investigation scheme, based on desk study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect groundwater quality in the underlying Principal aquifer and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

15. Prior to any part of the development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To protect groundwater quality in the underlying Principal aquifer, and to ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

16. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater quality in the underlying Principal aquifer, and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

17. THE DEVELOPMENT HEREBY PERMITTED SHALL NOT BE OCCUPIED UNTIL details of external lighting to be installed on site have been submitted to and approved in writing by the Local Planning Authority. The details shall have regards to *Bat Conservation Trust website* - <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>.

Reason: In the interests of nature conservation having regards to Wirral Unitary Development Plan Policy NC7

18. No development, besides site clearance and remediation, shall commence until a Road Phasing and Completion Plan has been submitted to and approved in writing by the Council as Local Planning Authority. The Road Phasing and Completion Plan shall set out the development phases and the standards to which roads serving each phase of the development will be completed.

Reason: To ensure that roads serving the development are completed and thereafter maintained to an acceptable standard in the interests of safety; to ensure a satisfactory appearance to the highway infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

19. No phase of development (as set out within details relating to Condition 18) shall be occupied until the LPA has approved in writing a full scheme of works and timetable (relating to the relevant phase) for the construction of the new highways and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, tactile paved pedestrian crossings, street lighting and furniture, access onto the adjacent highway, road safety audit and monitoring. This shall include all roads proposed for adoption. The approved works shall be completed in accordance with the LPA written approval prior to occupation of the development.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highway infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway

20. No phase of development (as set out within details relating to Condition 18) shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed roads within the relevant phase of development have been submitted to and approved in writing by the Council as Local Planning Authority. The roads shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

Reason: To ensure that roads serving the development are maintained to an acceptable standard in the interests of safety; to ensure a satisfactory appearance to the highway infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

21. No phase of development (as set out within details relating to Condition 18) shall be occupied until details of the proposed surface water drainage for the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. This shall be designed to prevent the discharge of water on to the public highway. The drainage design shall be implemented as set out within the approved details prior to first occupation of the relevant phase.

Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.

22. No works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of the highways works for construction purposes has been submitted to and approved in writing by the Council as Local Planning Authority.

The method statement shall include, but not be limited to:

- Construction traffic routes, including provision for access to the site;
- Entrance/exit from the site for visitors/contractors/deliveries;
- Location of directional signage within the site;
- Siting of temporary containers;
- Parking for contractors, site operatives and visitors;
- Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of construction;
- Temporary roads/areas of hard standing;



- Schedule for large vehicles delivering/exporting materials to and from site;
- Storage of materials and large/heavy vehicles/machinery on site;
- Measures to control noise and dust;
- Details of street sweeping/street cleansing/wheelwash facilities;
- Details for the recycling/disposing of waste resulting from construction works;
- Hours of working;
- Phasing of works including start/finish dates

The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority.

**Reason:** To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers.

23. Prior to occupation, full details of soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include full details on tree planting, including an assessment of canopy cover in comparison with the site as existing. The approved scheme shall be implemented in full prior to first occupation or no later than the first planting season following first occupation, unless otherwise agreed in writing with the Local Planning Authority.

Any trees, shrubs, hedges or plants which, within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason:** To improve the appearance of the development having regards to Wirral Unitary Development Plan Policy GR5 and the National Planning Policy Framework

24. PRIOR TO COMMENCEMENT OF DEVELOPMENT, detailed drawings indicating the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

**Reason:** To ensure that the development is satisfactorily sited and designed in relation to adjacent properties having regard to Wirral Unitary Development Plan Policy HS4

25. Any Reserved Matters application(s) shall be accompanied by an Arboricultural Impact Assessment which adequately assesses the impact on existing trees within and directly adjacent to the site

**Reason:** For the avoidance of doubt and in the interests of retaining trees having regards to Wirral Unitary Development Plan Policy GR7

26. Prior to commencement of development, a Method Statement in relation to the removal of wall cotoneaster and montbretia shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include the following information:

- A plan showing the extent of the plants;
- The methods that will be used to prevent the plant/s spreading further, including demarcation;
- The methods of control that will be used, including details of post-control monitoring; and
- How the plants will be disposed of after treatment/removal.

The removal of the plant(s) as set out in the Method Statement shall be carried out prior to first occupation

**Reason:** In the interests of removing invasive species

27. Prior to first occupation a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

The provisions of the Travel Plan shall be implemented and the site operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority

**Reason:** In the interests of highway safety and to accord with Policy TRT1 of the Wirral Unitary Development Plan and the National Planning Policy Framework

28. The children's play provision, as set out in the approved Design Code, shall be made available for use prior to the occupation of the 100th unit and shall be retained for use thereafter

**Reason:** In the interests of amenity for future occupiers having regards to Wirral Unitary Development Plan Policy GR6

29. No development shall commence unless and until all relevant interests in the land enter into a section 106 agreement substantially in the form appended to this permission.

**Reason:** As the Local Planning Authority would not have granted outline planning permission in the absence of a signed Deed pursuant to section 106 of the Town and Country Planning Act 1990 binding all relevant interests in the land and, at the time of this outline permission being issued, it was not possible to bind all relevant interests in the land. This condition restricts the commencement of development until such time that the relevant interests in the land are bound by the section 106 agreement appended to this planning permission.

30. All Reserved Matters application shall set out how they comply with the conclusions set out within the submitted Outline Planning Application Energy and Sustainability Statement (Hannan Associates, 17<sup>th</sup> May 2022)

**Reason:** In the interests of sustainability having regards to the National Planning Policy Framework

<b>Last Comments By:</b>	20-August-2022
<b>Expiry Date:</b>	11-November-2022

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## **Strategic Applications Sub-Committee – Terms of Reference**

A Sub-Committee of between six (6) and nine (9) members of the Planning Committee, politically balanced, with responsibility for making decisions regarding:

- (a) the implications of major developments outside of the Borough that could have an impact on local residents; and
- (b) the following categories of applications for planning permission:
  - (i) large-scale major developments (defined by the Ministry for Housing, Communities and Local Government (MHCLG) as those of 200 houses or more or 10,000 square metres of non-residential floor space) which, by their nature, (e.g. scale, location etc.) have wider strategic implications and raise issues of more than local importance;
  - (ii) planning applications for mineral extraction or waste disposal, other than small scale works which are ancillary to an existing mineral working or waste disposal facility;
  - (iii) significant applications by Wirral Borough Council to develop any land owned by the Council, or for development of any land by the Council or by the Council jointly with any other person (Regulation 3 applications)
  - (iii) applications which, if approved, would represent a significant departure from the policies of the statutory development plan, where they are recommended for approval;
  - (iv) any application where the Director responsible for the planning service considers it inappropriate to exercise delegated powers having regard to the public representations received and consultee responses; and
- (c) consideration of documents relating to the Local Development Framework and advise the Economy, Regeneration and Development Committee (or Housing Committee) where appropriate

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