

WIRRAL COUNCIL

CABINET – 22 JULY 2010

REPORT OF THE DEPUTY CHIEF EXECUTIVE AND DIRECTOR OF CORPORATE SERVICES

LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL - CORE STRATEGY DEVELOPMENT PLAN DOCUMENT – PREFERRED OPTIONS REPORT

EXECUTIVE SUMMARY

The Council is preparing a Core Strategy Development Plan Document. The Core Strategy is a statutory document that will set the local policy context for the determination of planning applications and for major regeneration schemes such as Housing Market Renewal and Wirral Waters by setting policies for housing, employment, open space and other matters alongside the Regional Spatial Strategy issued by the Secretary of State in September 2008. The Core Strategy will replace parts of the Unitary Development Plan adopted in February 2000, which no longer fully reflects the Council's more recent aspirations.

The Council consulted on the Spatial Options for the Core Strategy in January 2010 (Cabinet, 26 November 2009, Minute 200 refers). The next stage is the preparation of a Preferred Options Report. The Preferred Options Report is being prepared in a period of considerable uncertainty in respect of national and regional planning policy (set out in section 1 of this report). The Coalition Government has written to Council Leaders confirming the intention to rapidly abolish the Regional Spatial Strategy. The abolition of the Regional Spatial Strategy will have a number of important implications for Wirral (set out in section 2 of this report), which make it particularly urgent to maintain the impetus to complete the Core Strategy to strengthen the Council's regeneration and environmental protection aspirations.

Pending the abolition of the Regional Spatial Strategy, the Core Strategy will now also need to determine the number of new homes that will need to be built in Wirral over the next fifteen to twenty years. The draft Preferred Options Report, attached to this report, includes a series of suggested options for consultation on a new housing requirement figure for Wirral. This would be a new element of the Core Strategy, which has not previously been subject to public consultation, which is regularly at the core of decisions on planning applications and on decisions by Planning Inspectors at appeal. In the absence of the Regional Spatial Strategy, there will be no mechanism for determining a new housing requirement figure for Wirral outside the Core Strategy preparation process.

This report, therefore, asks Cabinet to approve the policy direction contained within the draft Preferred Options Report, including the principle of establishing a new city neighbourhood at the heart of the older urban areas in Birkenhead, as the basis for the preparation of a final Preferred Options Report and the accompanying documents listed under paragraph 6.9 of this report, with a view to undertaking public consultation on the Preferred Options in the Autumn. It recommends that the Council's Sustainability Appraisal Panel is involved in the preparation of the statutory Sustainability Appraisal of the Preferred Options; that the remaining evidence base studies for housing land; housing needs; affordable housing; and renewable energy are

reported to Cabinet before being formally included within the final Preferred Options Report; and that the remaining evidence base studies including the Wirral Open Space Assessment are published for public consultation alongside the Preferred Options Report.

The final Preferred Options Report and its accompanying documents will need to be brought back to Cabinet for final approval, before public consultation takes place, as the Council's Constitution requires the Preferred Options Report to be approved by Full Council.

The abolition of the Regional Spatial Strategy also has implications for the Council's Interim Planning Policy for New Housing Development, which has been in operation in its present form since October 2005. This report recommends that the Interim Planning Policy continues to be retained. It also recommends that an annual average housing requirement figure of 250 net additional dwellings is applied in the period until the Core Strategy is adopted.

1 Background

- 1.1 The statutory Development Plan for Wirral, which guides decisions on individual planning applications and other decisions under the Planning Acts, currently comprises the Regional Spatial Strategy issued by the Secretary of State in September 2008 and the Unitary Development Plan for Wirral adopted by the Council in February 2000.
- 1.2 The Core Strategy is a "new-style" Development Plan Document that will replace the strategic policy elements of the Unitary Development Plan. The Core Strategy is a key document, intended to set the overall framework for future development in the Borough, to which other "new-style" Development Plan Documents, such as site-specific land allocations, Area Action Plans and Supplementary Planning Documents, will be required to conform. The preparation of the Core Strategy must comply with a statutory process set out in national Regulations.
- 1.3 The Council consulted on the Issues, Vision and Objectives for the Core Strategy in February 2009 (Cabinet, 27 November 2008, Minute 274 refers) and on the Spatial Options for the Core Strategy in January 2010 (Cabinet, 26 November 2009, Minute 200 refers). The next stage is the preparation of a Preferred Options Report.
- 1.4 The Preferred Options Report is being prepared in a period of considerable uncertainty in respect of national and regional planning policy. It is for this reason that this report recommends a 'two-stage' approval of the Preferred Options Report.
- 1.5 The Coalition Government has indicated that it intends to return decision making powers on housing and planning to local councils away from national and regional building targets. The Secretary of State for Communities and Local Government has already:
 - written to Local Authorities to highlight the commitment to rapidly abolish the Regional Spatial Strategy and to clarify that decisions on housing supply, including provision for Gypsies and Travellers, will rest with the Council without the framework of regional numbers and plans (in a letter to Council Leaders dated 27 May 2010); and
 - re-published national planning policy for housing to remove the national minimum density of 30 dwellings per hectare and to exclude private gardens from the definition of previously developed land (PPS3, 15 June 2010).

- 1.6 A national statement on the future direction of strategic planning and any transitional arrangements is still awaited. While the current Regional Spatial Strategy could be revoked under existing powers, the removal of the statutory basis for Regional Strategies will require primary legislation at a later date. However, ministerial statements and revised national planning policy are significant material considerations in planning decisions and the implications of these two actions must be considered very carefully by local planning authorities in their development plan preparation and in the determination of planning applications. A key decision for Wirral Council to take in the near future will be on the Wirral Waters East Float planning application, for which broad support has been clearly indicated.
- 1.7 All national planning policy is expected to be subject to review as part of a simplified and consolidated national planning framework setting out national economic, environmental and social priorities. Although PPS3 has been revised it still refers to the Regional Spatial Strategy, which the Secretary of State has committed to abolish. Until the Government reviews national policy in a consolidated framework, there will still be confusion over the status of individual elements of national policy advice. It is however, already clear from the Government's announcements that nationally, 'garden-grabbing' is to cease; high density development is not to be sought at any cost; and that the Green Belt, Sites of Special Scientific Interest and important local greenspaces are to be protected. In those respects, it is likely that a strategy of regeneration, protecting open land and greenfield sites would still be supported.
- 1.8 The Coalition Government intends to radically reform the planning system to give neighbourhoods far more ability to determine the shape of the places in which their inhabitants live. This includes proposals to design a local plan from the "bottom up", starting with the aspirations of neighbourhoods and to allow people to use land and buildings for any purpose allowed in the local plan. The Council has already gone some way towards this by consulting on a series of Settlement Area Portraits as part of the Spatial Options Report published in January 2010, which appear to have been warmly received and which were published as an example of good practice by the national Planning Advisory Service.
- 1.9 The Coalition Government has set out its broad proposals for the future of the planning system in the Conservative Manifesto document "Open Source Planning Policy Green Paper No 14". This statement is to be read alongside "The Coalition: Our Programme for Government" which was issued by the new Government in May 2010. It is clear from the local focus of both these documents that the Government is committed to a strong local plan and although Regional Spatial Strategies are to be abolished there is no reference made to abolishing the Local Development Framework system (Links to both these documents are included in the list of Background Papers below).
- 1.10 It is therefore essential to maintain the impetus to complete the Local Development Framework Core Strategy, to adequately express the representations already made by local residents and stakeholders on Wirral's planning strategy, including a spatial focus which currently supports a broad strategy of regeneration. Given the proposals for the abolition of the Regional Spatial Strategy, it is very important that Wirral achieves an adopted Core Strategy as soon as possible to re-state the Council's aspirations on a statutory footing.

2 Abolition of the Regional Spatial Strategy

- 2.1 Cabinet considered the implications of the Regional Spatial Strategy for the Borough on 6 November 2008 (Minute 257 refers). The Regional Spatial Strategy set the spatial priorities within the sub-region; divided Wirral into the Inner Area, Outer Area and Rural Area; identified Birkenhead as a sub-regional centre; set a target for Wirral of 9,000 additional dwellings between 2003 and 2021 at an average of 500 additional dwellings each year; set a target of at least 80% for re-use of previously developed land; and provided the statutory basis for restraint in west Wirral, which was implemented locally through the Interim Planning Policy for New Housing Development which was adopted by Cabinet in October 2005 (Cabinet, 20 October 2005, Minute 278 refers).
- 2.2 A Partial Review of the Regional Spatial Strategy, which is yet to report following public examination, would also have provided additional targets for the provision of accommodation for Gypsies and Travellers and standards for car parking (Cabinet, 24 September 2009, Minute 113 refers).
- 2.3 While the Regional Spatial Strategy will remain part of the statutory Development Plan for Wirral until formally abolished, the Secretary of State has indicated that he expects his letter (paragraph 1.5 refers) to be treated as a material consideration when making planning decisions. The need for a sound evidence base will, however, remain in the form of “a professional assessment” of local housing need.
- 2.4 The abolition of the Regional Spatial Strategy will have the following implications for Wirral:
 - (1) Pending the adoption of the Core Strategy, the Unitary Development Plan will once again become the single Development Plan for the Borough;
 - (2) there will no longer be a regional target for house building in Wirral – the policy references to housing requirements were removed from the Unitary Development Plan following a Direction from the Secretary of State in September 2007;
 - (3) housing numbers and development priorities will need to be re-set locally and consulted on as part of the preparation of the local Development Plan, currently the Core Strategy Development Plan Document, supported by a Land Allocations Development Plan Document in due course;
 - (4) The removal of housing numbers will also have knock-on implications for the calculation of National Indicator 154 – Net Additional Homes Provided; National Indicator 159 – Supply of Ready to Develop Housing Sites; the targets for new house building in the Local Area Agreement; and the analysis undertaken as part of the Council’s Strategic Housing Land Availability Assessment.
- 2.5 The balance between the evidence base and the views of local residents in a locally-determined planning strategy has not yet been clarified by Government but it is important that this issue should be understood by Cabinet.
- 2.6 The two main themes of the Unitary Development Plan are continued urban regeneration and protection of the Green Belt. This provides for full and effective use of land within the urban areas, concentrating new building and investment within the existing built up area;

restraining building at the fringe of the urban area; treating for redevelopment derelict or vacant land or buildings; concentrating resources to upgrade and replace obsolete urban fabric; fostering private investment; providing a lasting improvement to the local environment; and developing and enhancing existing and new public and community facilities.

- 2.7 These objectives have long been followed in Wirral and have been broadly re-affirmed by residents and stakeholders in their responses to the consultation on the Core Strategy Spatial Options Report. Although the Interim Planning Policy for New Housing Development focused new development within a more restricted area of the Borough than the Unitary Development Plan, the Core Strategy Preferred Options Report can review this position, to reflect the consultation responses to the Core Strategy Spatial Options Report and the recent announcements by Government on protected land such as gardens, Green Belt and greenspace.
- 2.8 The abolition of the Regional Spatial Strategy will also have implications for the work programme and content of the Core Strategy and for other elements of evidence based on the spatial priorities of the Regional Spatial Strategy, including the Council's Interim Planning Policy for New Housing Development.

3 Interim Planning Policy for New Housing Development

- 3.1 The Council's Interim Planning Policy for New Housing Development was originally introduced in December 2003 to help deliver the spatial priorities set out within what was then Regional Planning Guidance for the North West (RPG13), when the housing requirement figure for Wirral was set at a maximum annual average of 160 additional dwellings based on the regional level analysis of housing requirements.
- 3.2 Although national advice was then to operate a Plan, Monitor and Manage approach by which development should be controlled to achieve the figure of 160 net new dwellings, it was accepted that development above that level could be accommodated if it satisfied the Council's regeneration objectives. Therefore, unlike other North West Districts, Wirral's approach was not a moratorium policy which sought to restrict all development above the RPG13 figure but was a policy designed to support the spatial aspirations of the Council to focus new development within its regeneration priority areas, including the Newheartlands Pathfinder. The Interim Planning Policy was also developed as a response to the high density development that was the result of the (then) national advice in PPG3 (first published in 2000), which actively discouraged any development at a density of less than 30 dwellings per hectare.
- 3.3 The Interim Planning Policy was subsequently amended in October 2005, following public consultation, to provide an additional focus for regeneration in the east of the Borough and to protect other areas in east Wirral from harmful over-development (Cabinet, 20 October 2005, Minute 278 refers). This was because, although the Interim Planning Policy had already begun to achieve a re-direction of development towards the regeneration priority areas, there was still at that time an unacceptable level of inappropriate development in neighbourhoods in the east of the Borough, outside the Newheartlands Pathfinder.
- 3.4 Throughout the period since December 2003, refusals of planning permission for housing on sites outside the regeneration priority areas identified in the Interim Planning Policy have been based on the spatial priorities set out in the Regional Spatial Strategy and on

the basis that a five-year supply of housing land could still be achieved. This approach has been consistently successful at appeal.

- 3.5 The latest review of the Interim Planning Policy took place following the publication of the revised Regional Spatial Strategy in September 2008, where Cabinet resolved to retain the Interim Planning Policy unaltered to continue to support the delivery of housing market renewal and to support the delivery of the Mersey Heartlands Growth Point (Cabinet, 19 March 2009, Minute 392 refers). This decision was based on appeal decisions which continued to support the Council's approach, despite the housing requirement figure for Wirral being set higher, as a minimum annual average of 500 additional dwellings, on the basis that the Interim Planning Policy still gave local expression to the Regional Spatial Strategy. The Council's Annual Monitoring Reports show that the Interim Planning Policy has achieved a high degree of success in directing housing development to the Council's regeneration priority areas.
- 3.6 Early indications are that a five-year housing land requirement is still likely to be operated at national level to guide decision making at appeal, on the basis that the Conservative Party publication Open Source Planning specifically mentions the general acceptance that a five-year land supply provides a good baseline from which to work.
- 3.7 The abolition of the Regional Spatial Strategy will remove the statutory basis at a regional level for restraining housing development in west Wirral, which would need to be re-established locally as part of the Core Strategy Development Plan Document.
- 3.8 National initiatives such as Housing Market Renewal and the Growth Point Programme remain in place but their future in the longer term is still to be determined by the Coalition Government. The most recent announcements on funding for these programmes has confirmed cuts in budget for Housing Market Renewal for 2010/11 and the removal of the ring fence to this funding but at the time of writing this report, no announcement had been made on the 2010/11 capital funding for Growth Points. It is possible that these initiatives may continue, if there is local support, in line with the Government's move to engender localism in the approach to reforming the planning system.
- 3.9 Although the promotion of urban regeneration was a key objective for the Unitary Development Plan and target areas included the (then) designated Inner Urban Area and Outer Council Estates where social and environmental conditions were poorest and where older urban fabric was most in need of renewal, the Unitary Development Plan did not preclude action or investment outside designated areas and allowed development throughout the urban areas, outside the Green Belt.
- 3.10 The abolition of the Regional Spatial Strategy will, however, also affect the calculation of a five-year housing land supply, which is often one of the deciding factors at appeal. In the absence of the Regional Spatial Strategy, there is no mechanism for determining a new housing requirement figure for Wirral outside the Core Strategy preparation process.
- 3.11 The Conservative Party publication "Open Source Planning" expects that local authorities will use the so-called "Option 1" numbers as the base-line for the projections that they provide to neighbourhoods at the start of the collaborative planning process and that they will be used as provisional housing numbers in their Local Development Frameworks. The "Option 1" figure is the original figure that was given to a district before any additional increase was applied by a Public Examination Panel or by the Secretary of State. The

“Option 1” figure for Wirral contained within the Draft Submitted Regional Spatial Strategy in 2006 would be an annual requirement of 250 net additional dwellings. A formal statement on the position of the new Coalition Government on the calculation of a five-year supply is, however, still awaited.

- 3.12 Since the economic downturn, new housing development has been significantly below the higher annual regional requirement figure of 500 net additional dwellings of the current Regional Spatial Strategy, which was last met in Wirral in 2007/08. The Regional Spatial Strategy figure of 500 additional dwellings was also included as a target within the Wirral Local Area Agreement. The Local Area Agreement target figures for 2009/10 and 2010/11 were, however, subsequently re-negotiated with the previous Government, to 265 and 160, to take account of the national economic downturn.
- 3.13 The Mersey Heartlands Growth Point, agreed in December 2008, was intended to raise annual average housing delivery to 600 additional dwellings between 2008 and 2017, with an annual average of 400 additional dwellings being delivered within the Growth Point itself. Gross dwelling completions for the whole of Wirral were 340 in 2009/10, of which 117 were within the Mersey Heartlands Growth Point Area.
- 3.14 In April 2010, land with planning permission within the regeneration priority areas identified in the Interim Planning Policy, which includes the Mersey Heartlands Growth Point, would be sufficient to deliver up to 2,400 dwellings (gross). This figure excludes the 1,600 units approved subject to a section 106 legal agreement as part of Wirral Waters at North Bank and the further 13,500 units within the planning application currently under consideration at East Float, which has not yet been determined. There was planning permission at April 2010 for a further 1,000 dwellings (gross) outside the regeneration priority areas.
- 3.15 Without Wirral Waters, the Council’s emerging Strategic Housing Land Availability Assessment, based at April 2008, shows a reducing land supply over time within the regeneration priority areas, with a gross capacity of up to 2,900 units available within the first five years and up to 700 units in years six to ten on previously developed sites. A further 965 units had planning permission outside the regeneration priority areas.
- 3.16 The retention of the Interim Planning Policy could be justified, if:
- a) there is continued local support for housing market renewal;
 - b) there is continued local support for housing delivery in the Mersey Heartlands Growth Point;
 - c) there is continued local support for the need to prioritise regeneration in east Wirral, as suggested in the Integrated Regeneration Study for Birkenhead and Wirral Waters (Cabinet, 24 June 2010, Item 21 refers);
 - d) there is continued support for the Unitary Development Plan strategy to maximise the re-use of previously developed land and support regeneration and redevelopment of the older run down areas, mainly located in the east of the Borough.

3.17 This report therefore recommends that Cabinet restates its support for the Interim Planning Policy.

4 Core Strategy Development Plan Document

4.1 National policy currently indicates that a Core Strategy should include:

- an overall vision which sets out how the area and the places within it should develop;
- strategic objectives for the area focusing on the key issues to be addressed;
- a delivery strategy for achieving these objectives, which should set out how much development is intended to happen, where, when, and by what means it will be delivered;
- locations for strategic development indicated on a key diagram; and
- clear arrangements for managing and monitoring the delivery of the strategy.

4.2 The Core Strategy must be justified, effective and consistent with national policy and must at present be in general conformity with the Regional Spatial Strategy. It must not, however, repeat or reformulate national or regional policy.

4.3 As elements related to the Regional Spatial Strategy will soon no longer be relevant, additional policy content may now need to be included within the Core Strategy itself, where they are not adequately covered in national policy statements.

4.4 The time horizon for the Core Strategy must be at least 15 years from the date of adoption.

4.5 Once adopted, the Core Strategy will provide the spatial blueprint for the social, economic, and environmental regeneration of the Borough, to support the delivery of the Sustainable Community Strategy and the aims and objectives of the Council's Investment Strategy.

5 Consultation on Spatial Options

5.1 National policy states that Core Strategies must be justifiable - they must be founded on a robust and credible evidence base and must be the most appropriate strategy when considered against the reasonable alternatives.

5.2 Consultation on spatial options offers stakeholders the opportunity to influence the key choices about the future development of the Borough, before any final decision is taken. Consultation on spatial options also enables the Council to demonstrate that it has identified and evaluated an appropriate range of available potential options and that it has openly assessed their likely implications.

5.3 National guidance indicates that spatial options should represent genuine alternative approaches to governing future development and change in the Borough. The options should be realistic and genuinely capable of implementation. The options must also be tested against a series of statutory appraisals and assessments including a sustainability appraisal and Habitats Regulations Assessment.

5.4 The Council consulted on the Spatial Options for a Core Strategy Development Plan Document in January 2010. A table summarising the main findings is provided at Appendix 1 to this report.

6 Preferred Options

- 6.1 The next stage in the process is the publication of the Council's Preferred Options.
- 6.2 A draft Preferred Options Report is attached to this report, prepared on the basis that the national framework for development plans will remain unaltered. A brief summary of its contents is provided at Appendix 2 to this report.
- 6.3 A major feature of the draft Preferred Options Report is the intention to establish a new city neighbourhood at the heart of the older urban areas in Birkenhead. This intention is expressed within the Spatial Vision (Preferred Option 3, page 16 of the draft Preferred Options Report refers); a new Spatial Objective (Preferred Spatial Objective 7 – New City Neighbourhood, page 25 of the draft Preferred Options Report refers); and the intention to identify a strategic location supported by Area Action Plans to integrate with the surrounding neighbourhoods (Preferred Option 21 – Strategic Locations, page 85 of the draft Preferred Options Report refers). It is also supported by other elements of the Preferred Options Report, including Spatial Objectives for economic revitalisation and housing growth and market renewal; the Broad Spatial Strategy; and the Preferred Options for housing, employment and retail. The Preferred Option for renewable, decentralised and low carbon energy also identifies it as a priority zone for the possible implementation of a district heating scheme.
- 6.4 The draft Preferred Options Report also includes provision to re-consult on the scale of new housing to be provided arising from the proposed abolition of Regional Spatial Strategy (Section 8 of the draft Preferred Options Report refers).
- 6.5 Four potential options are considered based on the Open Source Planning “Option 1” figure (paragraph 3.11 above refers); housing needs, taken from the Council's emerging Housing Market Needs Assessment Update study; the existing capacity of the urban area, taken from the Council's emerging Strategic Housing Land Availability Assessment; and market delivery, based on assumptions about the pace of future recovery in the housing market. The draft Preferred Options Report suggests that the Open Source Planning “Option 1” figure of 250 net additional dwellings each year should be preferred, as this would appear to provide the best balance between policy, need, capacity and delivery.
- 6.6 The draft Preferred Options Report allows for the figure of 250 net additional dwellings to be a maximum that can only be exceeded within the Newheartlands Pathfinder and the Mersey Heartlands Growth Point including Wirral Waters, in line with the Council's aspirations for regeneration. This is consistent with the Council's previous approach towards targets and regeneration priorities under the Interim Planning Policy (paragraph 3.2 above refers).
- 6.7 An infrastructure schedule; delivery framework; targets and indicators; issues audit trail; schedule of existing UDP policies affected; document list; and glossary are still to be completed.
- 6.8 The approval of the draft Preferred Options Report enables Cabinet to establish the future direction for the final Core Strategy, albeit that the Government's changes to strategic planning could impact on the eventual form and content of the Core Strategy. It is, however, important at this stage to re-confirm the Council's view on its regeneration priorities, informed by public consultation on the Spatial Options Report, and to support in

principle major schemes such as Wirral Waters East Float. It must, however, be recognised that the determination of the current Wirral Waters planning application is a matter for Planning Committee to decide, in accordance with the existing Development Plan and other material considerations.

6.9 The final Preferred Options Report will need to be approved by Full Council before being published for public consultation. It will also need to be accompanied by:

- A revised **Spatial Portrait** – a description of the Borough including a series of Settlement Area profiles, setting out the background to the Council's assessment of the key issues facing the Borough over the next 15 years and beyond, amended in response to previous public consultation;
- A **Preferred Options Assessment Report** – setting out the background to the Council's assessment of the various alternative options, amended in response to previous consultation;
- A **Report of Consultation on Spatial Options** – a statutory report which records the findings of consultation on the Spatial Options Report and how the Council has responded to the comments received;
- A **Revised Sustainability Appraisal Report** – a statutory report which considers the performance of each of the spatial options against 25 local sustainability objectives, again, amended in response to previous consultation – a summary of the sustainability appraisal findings would also be contained within the Preferred Options Report at relevant points (section 7 below also refers);
- A **Draft Habitat Regulations Assessment** – a statutory report which considers the potential impact of the emerging Core Strategy on designated European Sites (section 8 below also refers);
- A **Revised Equality and Diversity Statement** – a Corporate requirement, which would have to be approved by the Council's Equality and Diversity Co-ordinator;
- The series of **Evidence Base** studies – that the Council is relying on as the background to the analysis and decisions now set out in the Preferred Options Report (section 9 below also refers).

6.10 These documents are currently in preparation.

6.11 This report recommends that the final Preferred Options Report and its accompanying documents are prepared along the lines now indicated in the draft Preferred Options Report; that the approach towards the new city neighbourhood is supported; and that the final documents are brought back to Cabinet prior to approval by Full Council, with a view to undertaking formal public consultation in the Autumn.

7 Sustainability Appraisal Panel

7.1 An independent Sustainability Appraisal Panel was appointed in October 2006, to oversee the appraisal processes undertaken by the Council (Executive Board 12 July 2006, Minute 114 refers). The appointment of the Panel committed the Council to take draft documents

through a formal appraisal process, to be verified by the Panel at each stage of the plan making process, before they are published for public consultation.

- 7.2 It is recommended that the Panel is again involved as part of the preparation of the Revised Sustainability Appraisal Report before the final Preferred Options Report is presented to Full Council.

8 Habitats Regulations Assessment

- 8.1 The Core Strategy must also be tested for its impact on designated European Sites. The consultation documents accompanying the Spatial Options Report contained an Interim Habitats Regulations Screening Assessment. This must now be worked up into a fuller Assessment of the emerging Preferred Options. This is a specialist piece of work, requiring the input of nature conservation professionals, which could not be carried out in-house.
- 8.2 The Assessment will need to consider the potential impacts on a number of designated European Sites outside the Borough boundary. As the need to assess the impact on these sites is common to other authorities within the sub-region, savings can be made from the avoidance of repetitive assessments of the same sites by each authority. The Habitats Assessment for the Preferred Options for Wirral has therefore been jointly commissioned alongside other Merseyside districts, through the Merseyside Environmental Advisory Service, the Council's specialist environmental advisors.

9 Evidence Base

- 9.1 Cabinet agreed the funding necessary to bring forward a series of evidence base studies in January and March 2007 (Cabinet 24 January 2007, Minute 232; Cabinet 15 March 2007, Minute 284; and Cabinet 7 February 2008, Minute 502 refer).
- 9.2 Cabinet has also approved the undertaking of a Renewable Energy Capacity Study (Cabinet 27 November 2008, Minute 274 refers) a Birkenhead Integrated Regeneration Study (Cabinet, 5 February 2009, Minute 352 refers) and a Strategic Housing Needs Assessment Update and Affordable Housing Viability Assessment (Cabinet, 19 March 2009, Minute 426 refers).
- 9.3 The following studies are still to report:
- Strategic Housing Land Availability Assessment;
 - Strategic Housing Market Needs Assessment Update;
 - Affordable Housing Viability Assessment;
 - Liverpool City Region Renewable Energy Capacity Study.
- 9.4 All but the Affordable Housing Viability Assessment, which will be completed following stakeholder consultation at the end of July, are due to be received during July.
- 9.5 While the emerging findings of these studies have already been included in the draft Preferred Options Report attached to this report, this report recommends that the completed studies are reported to Cabinet before being formally included within the final Preferred Options Report. This report also recommends that the remaining studies, including the Wirral Open Space Assessment, are made available for consultation alongside the formal publication of the Preferred Options Report.

9.6 A Liverpool City Region Overview Study is also being prepared to assess any additional cross-boundary implications arising from the sub-regional land supply. The results of the Overview Study will be reported to Cabinet as soon as they become available. The final Overview Study report is not expected to be received until mid-September 2010.

10 Public Consultation

10.1 Public consultation on the Preferred Options Report will be carried out in compliance with the standards set out in the Statement of Community Involvement, adopted by the Council in December 2006.

10.2 Copies of the Preferred Options Report and its accompanying documents will be placed for inspection, free of charge, in public libraries throughout the Borough; at the public counter of the Technical Services Department; and at One-Stop Shops. The documents will also be made available for comment on-line, free of charge, through the Council's on-line consultation portal at <http://wirral-consult.limehouse.co.uk/portal>.

10.3 Notification letters will be sent to all the contacts on the Council's Local Development Framework database and to members of the Area Forums. A presentation will be provided to the members of the Strategic Partnership Management Group.

10.4 A series of consultation questions will be included in the Preferred Options Report to direct respondents to areas where comments would be particularly valuable. Non-technical summary material will also be made available to make it easier to comment on key aspects of the Report.

10.5 The results of consultation on the Preferred Options Report will be used to confirm that the alternative options have been correctly evaluated and that the Council's final decisions have been soundly based.

11 Future Stages

11.1 The next stage, following the publication of Preferred Options, would be to draw up a draft Core Strategy. This will be the first time that the public and other stakeholders will be able to see and comment on a complete, fully drafted Core Strategy for the Borough.

11.2 The full draft Core Strategy will need to be published for public consultation for a statutory period of six weeks, accompanied by the evidence base, the results of previous consultations and a full suite of appraisals and assessments, to explain the process carried out and to justify the conclusions included within the draft Strategy.

11.3 The comments received on the draft Core Strategy may be used by the Council to make any final changes before submitting the final Core Strategy to the Secretary of State for public examination by an independent Planning Inspector. Assuming the Inspector concludes that the Core Strategy is "sound", on the basis of the evidence submitted and any outstanding representations, the Council would then be able to proceed to adoption. Under current legislation, the report of the Inspector will be binding on the Council.

11.4 The final procedures could be subject to change, depending on the speed with which the new Coalition Government introduces amendments to the national Development Plans system.

12 Further Work

12.1 Additional work on the evidence base, which will need to be undertaken before a draft Core Strategy can be prepared, is set out below:

- Work to directly respond to the abolition of the Regional Spatial Strategy and any subsequent changes in national policy (which could be met from existing resources within Strategic Development);
- Consultation with infrastructure providers (which could be met from existing resources within Strategic Development);
- Consultation on transport implications (which could be met from existing resources within Technical Services);
- Consultation on climate change and carbon emissions implications (which may require specialist consultancy);
- A Water Cycle Study and Surface Water Management Plan (which would require specialist consultancy);
- A Needs Assessment for Indoor Sport and Recreation (which may be able to be met from existing resources within Cultural Services in consultation Sport England);
- A Pitch Strategy Update (which could be met from existing resources within Cultural Services and Strategic Development);
- A Green Infrastructure Strategy (which could be met by existing resources within Technical Services, Cultural Services and Strategic Development);
- A series of updates to roll-on the existing available data prior to the submission of the Core Strategy for public examination (which could be met from existing resources within Strategic Development with some limited specialist consultancy).

12.2 It is also recommended that additional provision be made for independent peer review; another meeting of the CABE Places Matter Design Review Panel; and legal advice before a draft Plan is approved.

13 Timetable

13.1 The latest estimated timetable for future stages in the preparation of the Core Strategy is:

Preferred Options	September 2010
Publication of Draft Strategy	January 2011
Submission	April 2011
Public Examination Hearing	July 2011
Inspectors Report	October 2011

14 Financial Implications

- 14.1 The resources necessary for future stages of plan preparation were set out in the review of the Local Development Scheme (Cabinet, 14 January 2010, Minute 260 refers).
- 14.2 The estimated cost of undertaking public consultation on the Preferred Options Report is £15,000, which can be met from existing resources within Strategic Development.
- 14.3 Funding of £95,000 for the Strategic Housing Land Availability Assessment, jointly commissioned with Liverpool City Council, was agreed by Cabinet on 16 October 2008 (Minute 234) to be met from the first tranche of CLG Growth Fund.
- 14.4 Funding of £24,000 for the update to the Strategic Housing Market Needs Assessment was agreed by Cabinet on 19 March 2009 (Minute 426) to be met from the Housing Strategy Research budget.
- 14.5 The Council's contribution of £2,500 towards the preparation of Stage 2 of the Liverpool City Region Renewable Energy Capacity Study has been funded from the Area Based Grant Allocation for Climate Change.
- 14.6 The Council's contribution of £5,000 towards a Habitats Regulations Assessment in support of the Council's Preferred Options, jointly commissioned with the Councils for Liverpool, Knowsley and Halton, can be met from within existing resources within Strategic Development.
- 14.7 The Council's contribution towards the Liverpool City Region Overview Study of £5,000 can be met from existing resources within Strategic Development.
- 14.8 Budget provision for elements of additional work set out in section 12 of this report that may need specialist consultancy has not yet been identified. The need for any additional expenditure will be re-assessed against remaining resources as each stage in plan preparation is reached.
- 14.9 The Coalition Government has announced that the annual award of Housing and Planning Delivery Grant, which has previously been used to fund previous work on the Core Strategy and on the Joint Merseyside Waste Development Plan Document, will no longer be available from 2010/11 but may be replaced by new incentives for housing and business development for which details are not yet available.

15 Staffing Implications

- 15.1 There are no staffing implications arising directly out of this report.

16 Equal Opportunities Implications

- 16.1 There are no implications for equal opportunities arising directly from this report. The preparation of the Preferred Options Report will need to be subject to an Equality Impact Assessment approved by the Council's Equality and Diversity Co-ordinator.

17 Community Safety Implications

17.1 There are no community safety implications arising directly out of this report. The Core Strategy is, however, expected to include policies that will seek to protect and improve community safety.

18 Local Agenda 21 Implications

18.1 The Council has a legal duty to prepare the Core Strategy with a view to contributing to the promotion of sustainable development. The Preferred Options Report will need to be subject to a statutory sustainability appraisal including strategic environmental assessment and Habitats Regulations Assessment.

19 Planning Implications

19.1 The Core Strategy Development Plan Document, once adopted, will form part of the statutory Development Plan for Wirral alongside the Regional Spatial Strategy (until it is abolished) and the Council's Unitary Development Plan and will have implications for the determination of individual planning applications and other decisions under the Planning Acts.

20 Anti-Poverty Implications

20.1 There are no anti-poverty implications arising directly from this report. The Core Strategy is, however, expected to include policies that will seek to promote opportunities for wealth creation and employment.

21 Human Rights Implications

21.1 There are no human rights implications arising from this report. The Preferred Options Report is, however, expected to include policies for providing accommodation for Gypsies and Travellers.

22 Social Inclusion Implications

22.1 There are no social inclusion implications arising directly from this report. The Core Strategy is, however, expected to include policies that will seek to support and promote social inclusion.

23 Local Member Support Implications

23.1 The Preferred Options Report will have implications for all Ward Members.

24 Background Papers

24.1 Planning and Compulsory Purchase Act 2004 can be viewed at www.opsi.gov.uk/acts/acts2004/20040005.htm

24.2 Town and Country Planning (Local Development)(England) Regulations 2004 (SI 2004, No.2204) can be viewed at http://www.opsi.gov.uk/si/si2004/uksi_20042204_en.pdf

- 24.3 The Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008 (SI 2008 No 1371) can be viewed at http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081371_en.pdf
- 24.4 Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 (HMSO, SI 2009, No 401) can be viewed at http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090401_en.pdf
- 24.5 Planning Policy Statement 12 - Local Spatial Planning (CLG, June 2008) can be viewed at: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/pps12lsp.pdf>
- 24.6 The Environmental Assessment of Plans and Programmes Regulations 2004 can be viewed at http://www.opsi.gov.uk/si/si2004/uksi_20041633_en.pdf
- 24.7 The Conservation (Natural Habitat &c) (Amendment) Regulations 2007 – Appropriate Assessments for Land Use Plans - can be viewed at http://www.opsi.gov.uk/si/si2007/pdf/uksi_20071843_en.pdf
- 24.8 Wirral Council – Regional Spatial Strategy – Implications for Wirral (Cabinet November 2008) can be viewed at [http://democracy.wirral.gov.uk/Published/C00000121/M00000351/AI00002030/\\$CABCS081106REP1.docA.ps.pdf](http://democracy.wirral.gov.uk/Published/C00000121/M00000351/AI00002030/$CABCS081106REP1.docA.ps.pdf)
- 24.9 Wirral Council – Interim Housing Policy for New Housing Development – Revised Draft Following Public Consultation (Cabinet 20 October 2005) can be viewed at http://democracy.wirral.gov.uk/Data/Cabinet0/20051020/Agenda/ercs051013rep4b_17941.pdf
The boundary to the area affected can be viewed at http://democracy.wirral.gov.uk/Data/Cabinet/20051020/Agenda/ERCS051013REP4C_17940.jpg
- 24.10 Wirral Council – Interim Housing Policy for New Housing Development (Cabinet 19 March 2009) can be viewed at [http://democracy.wirral.gov.uk/Published/C00000121/M00000357/AI00003877/\\$CABCS090319REP1.docA.ps.pdf](http://democracy.wirral.gov.uk/Published/C00000121/M00000357/AI00003877/$CABCS090319REP1.docA.ps.pdf)
- 24.11 Wirral Council - Local Development Framework for Wirral - Core Strategy Development Plan Document – Public Consultation on Issues and Objectives (Cabinet 27 November 2008) can be viewed at [http://democracy.wirral.gov.uk/Published/C00000121/M00000352/AI00002409/\\$CABCS081127REP5.docA.ps.pdf](http://democracy.wirral.gov.uk/Published/C00000121/M00000352/AI00002409/$CABCS081127REP5.docA.ps.pdf)
- 24.12 Wirral Council - Local Development Framework for Wirral - Core Strategy Development Plan Document – Public Consultation on Spatial Options (Cabinet 26 November 2009) can be viewed at [http://democracy.wirral.gov.uk/Published/C00000121/M00000732/AI00006824/\\$CABCS091126FraserREP2.docA.ps.pdf](http://democracy.wirral.gov.uk/Published/C00000121/M00000732/AI00006824/$CABCS091126FraserREP2.docA.ps.pdf)
- 24.13 The Coalition: Our Programme for Government (HM Government, May 2010) can be viewed at http://www.cabinetoffice.gov.uk/media/409088/pfg_coalition.pdf

24.14 The Conservative Party publication Open Source Planning Policy Green Paper No 14 can be viewed at http://www.conservatives.com/news/news_stories/2010/02/~media/Files/Green%20Paper/s/planning-green-paper.ashx

RECOMMENDATIONS

- (1) that the draft Preferred Options Report attached to this report is approved as the basis for preparing a final Preferred Options Report for public consultation, in further consultation with Council Departments;**
- (2) that the principle of establishing a new city neighbourhood at the heart of the older urban areas in Birkenhead is supported;**
- (3) that the final Preferred Options Report and its accompanying documents are reported to Cabinet before being submitted to Council for approval for public consultation;**
- (4) that the Sustainability Appraisal Panel is involved in the preparation of the Sustainability Appraisal to accompany the Preferred Options Report;**
- (5) that the findings of the evidence base studies that are still to be completed are reported to Cabinet before inclusion in the final Preferred Options Report;**
- (6) that the Interim Planning Policy for New Housing Development is retained; and**
- (7) that an annual average housing requirement figure of 250 net additional dwellings is applied in the period until the Core Strategy is adopted.**

J. Wilkie
Deputy Chief Executive/Director of Corporate Services

This report has been prepared by the Forward Planning Section who can be contacted on 691 8218.

Appendix 1 - Summary of Consultation Responses on Spatial Options

Section	Summary of Comments Received
Spatial Portrait	The Spatial Portrait and Settlement Area Profiles were generally well received. Detailed comments were submitted to further improve the level of detail provided within them.
Spatial Vision	There was a broad level of support for the Spatial Vision, as a fair indication of what the Council wanted to achieve. While a number of respondents thought that the Vision was over-ambitious and probably too long, others sought a greater environmental focus and wanted climate change and energy security to have a higher priority.
Spatial Objectives	Public consultation generally indicated a wide level of support. The main issues appeared to relate to the references to specific Settlement Areas, for objectives which the majority of respondents believed should apply across the Borough as a whole. A Places Matter Design Review Panel suggested the need to further reduce the focus of the objectives to allow the Council's spatial priorities to be more simply and clearly expressed.
Broad Spatial Options	Consultation showed only mixed support for focused regeneration because of the limited focus on a small area of the Borough and the reliance on a small number of delivery partners. The strongest support was expressed for a strategy that would allow a wider range of local issues to be addressed alongside the regeneration of the older urban areas. There was little support for expanding the urban areas into the Green Belt, because of the implications for the character and natural assets of the Borough.
Housing Distribution	Almost half the respondents supported focusing new housing within the Newheartlands Pathfinder with restrictions elsewhere. Others felt that this would be too restrictive; could not deliver the required number of homes; and that a wider housing offer would do more to promote growth and investment and meet needs outside the regeneration priority areas. There was, however, generally less support for options that could lead to a more dispersed pattern of development.
Phasing Housing	Consultation did not show a clear preference for either Policy Option but a Settlement Area based approach was generally considered more difficult to implement than a Borough-wide approach.
Order of Preference	There was clear support for using previously developed brownfield land before previously undeveloped green field land. Rural brownfield land was also generally preferred over urban greenfield land.

Section	Summary of Comments Received
Affordable and Specialist Housing	There was general support for a Borough-wide rather than Settlement Area based target, to allow a more even distribution of affordable housing, although a Settlement Area approach was considered by some to take greater account of local needs.
Gypsies and Travellers	There was almost unanimous support for the provision of general criteria rather than identifying particular locations.
Employment	There was broadly equal support for a concentration on strategic locations and on existing industrial areas and town centres. There was little support for identifying a new long term strategic employment location outside the existing urban area.
Retailing	Concerns were expressed about the position of individual centres and additional centres were suggested for inclusion. There was also concern that the main options appeared to be overlooking existing centres by concentrating too much on Birkenhead and Wirral Waters and concern about the potential impact of Wirral Waters on Birkenhead, Liscard, Liverpool and Chester.
Renewable Energy	There was wide support for a mixed approach to setting targets for different types of development but little agreement over the details. While there was general support for increasing the amount of renewable energy generated, particularly through micro-generation, the need to protect against the environmental impact of larger schemes was a strong underlying theme.
Better Design	There was strong support for a wide variety of approach to better reflect the diversity of the Borough. The main concern was to ensure that new development matched the character of its surroundings, included elements of sustainable design and took full account of local assets.
Development Management	There was strong support for the inclusion of a general policy to guide applicants in addition to national controls, although others believed that this type of policy was not appropriate for a Core Strategy.
Developer Contributions	There was clear support for a mixed approach that was capable of accommodating the Community Infrastructure Levy but many felt that site by site negotiations on a site-specific legal agreement would still be the easiest and cheapest to operate.

Section	Summary of Comments Received
Green Infrastructure	There was strong support for an approach setting out local priorities and characteristics but the majority still wanted local standards to be included. Most respondents wanted a stronger emphasis on protection; control over standards of management; and assurances that the widest range of infrastructure would be included.
"Missing" Issues	Government Office wanted minerals and waste to be specifically included. Other "gaps" included disability issues; allotments; archaeology; indoor leisure; culture, arts and community facilities; agriculture, including local production and food security; vacant property; the need for supporting infrastructure; water management; peak oil; healthcare facilities and care for the elderly.

Appendix 2 – Summary of Draft Preferred Options Report

Time Period

The plan period for the Core Strategy is now April 2012 to March 2027 (Section 2, page 5 of the draft Preferred Options Report refers)

Spatial Portrait

The Spatial Portrait is being revised and updated but will now be produced as a separate background document. A summary of the main changes to the background context since the last report is provided (Section 3, page 6 refers).

Settlement Areas

The Core Strategy will include a series of Settlement Area Policies which will set out the main priorities within each area. The Settlement Areas have been named as well as numbered (Section 4, page 13 refers).

Spatial Vision

The Spatial Vision has been revised and shortened to reflect the comments received. The focus is on quality of life; urban regeneration; addressing disparity; establishing a new city neighbourhood at the heart of the urban area; increasing the density of jobs and businesses; and supporting more sustainable patterns of travel and approaches to design and construction (Section 5, page 16 refers).

Spatial Objectives

The Spatial Objectives have been revised to focus more clearly on geographical areas (Section 6, page 18 refers) and now include:

- Preferred Spatial Objective 1 – Economic Revitalisation (page 18)
- Preferred Spatial Objective 2 – Housing Growth and Market Renewal (page 19)
- Preferred Spatial Objective 3 – Transport Accessibility (page 20)
- Preferred Spatial Objective 4 – Neighbourhood Services (page 22)
- Preferred Spatial Objective 5 – Environmental Quality (page 23)
- Preferred Spatial Objective 6 – Flood Risk (page 24)
- Preferred Spatial Objective 7 – New City Neighbourhood (Wirral Waters)(page 25)

Broad Spatial Strategy

The Broad Spatial Strategy has been amended to continue the focus on urban regeneration and population growth within the older urban areas with limited development around existing centres and transport corridors well served by public transport. Green Belt will not be released. A Key Diagram will be included to illustrate the main elements of the Spatial Strategy (Section 7, page 29 refers).

Scale of New Housing Development

This is a new section of the Core Strategy to allow the Council to consult on options for a new housing number for the Borough. The Preferred Option is a new annual requirement of 250 net additional dwellings, which can be exceeded within the Newheartlands Pathfinder and the Mersey Heartlands Growth Point (but not outside) (Section 8, page 39 refers).

Distribution of New Housing Development

The Preferred Option places the majority of new housing in the regeneration priority areas in and around Birkenhead (Section 9, page 42 refers).

Phasing of New Housing Development

The Preferred Option is to phase housing development across the Borough as whole to maximise the reuse of existing buildings and previously developed land (Section 10, page 45 refers). The order of preference is to develop brownfield land within the regeneration priority areas first, followed by brownfield land elsewhere. Greenfield land remains the lowest priority for new development (Section 11, page 46 refers).

Affordable and Specialist Housing

Affordable housing will be required at 25%, with 10% within the Newheartlands Pathfinder, rising back to a target of 40% as the economy recovers. Up to a third of new housing should be set aside for specialist needs including sheltered and extra care housing (Section 12, page 49 refers).

Gypsies and Travellers

The Preferred Option is to include criteria for the determination of planning applications rather than to identify any specific location (Section 13, page 51 refers)

Distribution of Employment

The Preferred Option is to direct the majority of new jobs to Birkenhead (50%) and Bromborough (40%) and the remainder to existing estates and centres. Wirral Waters will be promoted for larger scale commercial, office and service activities (Section 14, page 54 refers).

Town Centre Hierarchy

The hierarchy has been amended to add local centres at Greasby and Eastham. Hoylake is shown as a District Centre alongside Bromborough Village and Prenton (Woodchurch Road) (Section 15, page 58 refers).

Distribution of Retailing

Retail growth will be directed to existing centres based on need and then to Wirral Waters (Section 16, page 63 refers)

Renewable, Decentralised and Low Carbon Energy

The Preferred Option has been amended to move away from targets for individual developments in line with the national approach to deliver targets through the Building Regulations. Wirral Waters and tidal power from the Mersey are identified as opportunities for potential future generation (Section 17, page 66 refers).

Better Design

The Preferred Option is for the inclusion of an overarching design policy to promote local distinctiveness and sustainable design and construction, supported by local requirements based on an assessment of local assets (Section 18, page 68 refers)

Development Management

The Preferred Option is to include a list of the main issues that will need to be addressed by all planning applications (Section 19, page 70 refers)

Developer Contributions

The Preferred Option is to list the types of provision that are likely to be required subject to the viability of the development proposed, dependent on the Coalition Government proposals for the future of the Community Infrastructure Levy (Section 20, page 73 refers)

Green Infrastructure

The Preferred Option is to base requirements on local characteristics, with numerical standards for types of facility that lend themselves to an analysis of quantity, quality and accessibility such as parks and gardens; outdoor sports facilities and allotments (Section 21, page 76 refers).

Minerals

A new section, requested by Government Office, to identify a safeguarding area to prevent the sterilisation of the existing mineral reserve at Carr Lane, Moreton (Section 23, page 80 refers).

Waste Management

A new section, requested by Government Office, to provide a context for the work being carried out on the Joint Waste Development Plan Document for Merseyside and Halton (Section 24, page 81 refers).

Strategic Locations

A new section, requested by Government Office, to consider the treatment of proposals that will be crucial to the delivery of the Core Strategy, such as Birkenhead and Wirral Waters; and Wirral International Business Park. The Preferred Option is to show Birkenhead and Wirral Waters as a broad location with a symbol on the Core Strategy Key Diagram and to prepare a series of Area Action Plans to ensure that the new city neighbourhood will be properly integrated with the surrounding Partnership Areas (Section 25, page 85 refers).

Appendices

The Core Strategy will be accompanied by a delivery framework with targets and indicators, which are still to be completed (Sections 26 and 27, pages 87 and 89 refer).