

**ELLESMERE PORT WATERFRONT DEVELOPMENT BRIEF – WIRRAL COUNCIL
RESPONSE**

1. EXECUTIVE SUMMARY

- 1.1 Ellesmere Port and Neston Council has prepared a development brief for the redevelopment of Ellesmere Port docks, which is a key site in the West Cheshire New Growth Point bid and the largest potential housing site in West Cheshire. Ellesmere Port and Neston Council expects to receive a planning application for a phased housing development of up to 7,550 new dwellings, in blocks of apartments from 6 to 20 storeys and 4/5 storey double unit houses. This proposal is of importance for Wirral in its potential impact on the Wirral Waters scheme (including cumulative transport impacts on the M53 Motorway) and in the impact of any relocated port facilities (which the brief proposes to relocate in Wirral).
- 1.2 This report asks Members to agree to representations seeking a limited redevelopment of the Ellesmere Port Docks being conditional on an acceptable phased relocation of port facilities to Wirral. As responses were required by 5th December 2008, this report recommends that Cabinet endorse the comments set out in Section 3 of this report which have formed the basis of the representations made by the Deputy Chief Executive/Director of Corporate Services. In particular, Wirral Council supports the principle of regeneration of Ellesmere Port waterfront. However, this should not harm the priorities in RSS policies LCR1 and LCR2, nor be achieved at the expense of the environmental conditions experienced by Wirral residents, or through any relocated port facilities having an adverse impact on internationally important habitats.

2. The Brief Described

- 2.1 Ellesmere Port and Neston Council have been in negotiation with Peel Holdings about the mixed use redevelopment of a 28.4 hectare site on the waterfront, which is predominantly in current use for open storage, transit sheds and wharves on the Manchester Ship Canal. The site is to the north west of the National Waterways Museum and to the north east of the M53 Motorway, south east of the Bridgwater Paper Mill. The area is therefore predominantly industrial and commercial in nature. Port activity has been relatively static in recent years. Ellesmere Port and Neston Borough Council has issued a draft development brief for public consultation between 3rd November and 5th December 2008.
- 2.2 The development brief has been prepared in the context of national planning advice, the new Regional Spatial Strategy (North West of England Plan Regional Spatial Strategy to 2021, RSS) and Cheshire 2016: Structure Plan Alteration. Ellesmere Port and Neston Council has saved policies from the Ellesmere Port and Neston Borough Local Plan (adopted 2002). The Ellesmere Port Waterfront site is not allocated for any use in the Local Plan as it was, at the time of adoption expected to continue in dock-related use to 2011.

- 2.3 The potential of the Ellesmere Port Waterfront site was recognised in the Ellesmere Port and Neston Borough Council Core Strategy Issues and Options 2008, which identified it as a Strategic Site. Wirral Council's Cabinet considered the Issues and Options report at its meeting on 16th April 2008 (Minute 610 refers) and raised serious concerns at the potential impact of the Ellesmere Port Waterfront on the delivery of Housing Market Renewal and Wirral Waters in Wirral. Wirral's Cabinet further sought that a full impact assessment of the scheme should be carried out, including an assessment of the acceptability of the location of the re-located port activity. Wirral Council supported the general spatial strategy of the Issues and Options report, which was to concentrate regeneration and development in Ellesmere Port.
- 2.4 Neither impact assessment has been carried out, although revised RSS, now includes a housing requirement for Ellesmere Port and Neston Borough of 400 net new dwellings pa (7,200 for the period 2003-2021), which could be increased to 500 net pa with the New Growth Point proposals. The increase to 400 pa from the Cheshire Structure Plan Alteration requirement of 220 net pa can be supported by sites put forward in Ellesmere Port and Neston Borough Council's Strategic Housing Land Availability Study (SHLAA), although 3,327 of the net 7,131 units identified in the SHLAA are from the Ellesmere Port Waterfront site.
- 2.5 The development brief shows how the development of the Waterfront could be phased, with Phase 1 at the southern end of the site, adjacent to an existing mixed use area at the northern boundary of the National Waterways Museum. Phase 4 would be at the northern end of the site, adjacent to the North Road Industrial Estate and Manisty Quay. Access to the development site can be achieved from Junction 8 and Junction 9 of the M53, although highway capacity is the subject of ongoing negotiation with the Highways Agency. The brief notes the potential to open an existing freight railway line for passenger use, or if retained in freight use, the need to screen the line from new housing.
- 2.6 The brief sets out a SWOT (Strengths, Weaknesses, Opportunities and Threats) for the development, comparing the opportunity for a major waterfront regeneration in Ellesmere Port with the constraints brought about by the separation from the town centre caused by the M53 Motorway, the continued operation of dock uses preventing commencement of Phase 1 and the risk of the Port Wirral proposals to move port-related uses into Wirral not going ahead.

3. Implications for Wirral

- 3.1 The brief recognises that housing development, in accordance with the brief requires the relocation of existing port uses from the Waterfront site further down the Manchester Ship Canal towards Eastham. This is a separate proposal by the Peel Group for a new Port Wirral. The brief states that:

'The frontage of the Manchester Ship Canal between Eastham and Manisty provides a substantial opportunity to meet the need for relocation and expansion of capacity and modernisation of the existing port operation facilities. The development concept at Eastham is of a linear port facility with a range of landside supporting developments situated between North Road, the Oil Terminal and the Ship Canal. Road access will be provided from North Road and rail access can be provided from the reconstructed freight line alignment. A possible new connection into the QEII Dock would improve manoeuvrability for vessels.'

- 3.2 Members will be concerned that the proposals for Port Wirral, whilst identified in outline by Peel Holdings, have not been considered by Wirral Members, yet are now being included in an Ellesmere Port and Neston Borough Council planning document, which will have weight in the determination of planning applications within Ellesmere Port and Neston. It is clear that the Ellesmere Port Waterfront proposals cannot be delivered without the relocation of port uses to the area described as Port Wirral, yet that area is entirely within Wirral. The area owned by Peel in Wirral at Eastham is either without notation (following the deletion of Policy EM10 in September 2007) or within employment allocations subject to Policy EM3 of the Wirral Unitary Development Plan.
- 3.3 Development at Port Wirral falling outside the scope of the permitted development rights of the port operator would require planning permission. Those elements within Wirral's boundary would have to be the subject of a separate planning application to Wirral Council. Irrespective of the permitted development rights of the port operator, if the development requires Environmental Impact Assessment or Habitats Regulations Assessment, proposals would need to be carefully assessed for their impacts on residents' amenity, natural ecology and the transport network. It is premature for an Ellesmere Port and Neston Borough Council document to state that road access will be provided from North Road (unless the intention is that all traffic from the Port Wirral proposal would be directed into Ellesmere Port).
- 3.4 The brief would have no legal status within Wirral without a separate Wirral Cabinet or Council resolution that those aspects with implications for land within Wirral were adopted for development control purposes, following a separate process of public consultation in Wirral. Although Peel first announced their intentions for development at Port Wirral early this year and in July 2008 were asked to present their proposals to local Members and residents in Eastham Ward, a limited presentation is only now proposed for 4th December 2008.
- 3.5 Development of the waterfront site, in accordance with the brief, would regenerate this area of Ellesmere Port. Wirral Council's Cabinet, in its response to the Ellesmere Port and Neston Core Strategy, has already supported regeneration of Ellesmere Port town in principle. Whilst there may be impacts upon traffic flows on the M53 Motorway, discussions are under way with the Highways Agency, in the context of the West Cheshire and Mersey Heartlands New Growth Point bids (Mersey Heartlands was considered by Cabinet at its meeting on 16th October 2008, Minute 234 refers).
- 3.6 Development of the Mersey Heartlands New Growth Point is sequentially preferable to sites in Ellesmere Port, in accordance with RSS Policy LCR2 and the priority given to HMRI set out in RSS Policy LCR1, which seeks to focus a sufficient proportion of new housing development and renewal within the inner areas. Development in the outer areas (RSS Policy LCR3) should be complementary to the programmes within the Liverpool Regional Centre and Inner Areas. The new RSS places a high priority on the support to be given to HMRI and Members may be concerned that development of this amount of housing in Ellesmere Port will undermine HMRI, particularly as it is understood that the Ellesmere Port Waterfront development will be brought forward at the same time as the Wirral Waters proposals. There should be a careful phased release of housing land to avoid harming the RSS spatial strategy. In the Council's response to the Ellesmere Port LDF Core Strategy Issues and Options report (Cabinet 16th April 2008 Minute 610 refers), it was similarly noted that housing development of the scale proposed on the Ellesmere Port Waterfront should not proceed until an assessment had been undertaken of the full impact of the scale of the housing

proposed on housing markets and regeneration in the wider sub-region and shown not to impact adversely on the HMRI and Wirral Waters.

- 3.7 Policy LCR3 deals with the 'outer part' of the Liverpool City Region, which excludes Birkenhead and its hinterland, and the Borough of Ellesmere Port and Neston. Ellesmere Port falls within the West Cheshire – North East Wales sub-region, which has: '*...close links with the outer areas...*' and '*...shares many of the issues and characteristics of these areas*' (paragraph 11.14 of the RSS). The West Cheshire - North East Wales sub-region is covered by Policy LCR5, where the emphasis for Ellesmere Port is in support of regeneration projects which help to develop its reputation for hi-tech manufacturing and improving the image, quality of life and perception of Ellesmere Port. Whilst the regeneration of the Ellesmere Port Waterfront would improve the perception of Ellesmere Port, this should not be at the expense of regeneration in the Inner Areas of the Liverpool City Region.

4. Financial implications

- 4.1 There are no financial implications arising from this report.

5. Staffing implications

- 5.1 There are no implications arising directly from this report.

6. Equal Opportunities implications

- 6.1 There are no implications arising directly from this report.

7. Community Safety implications

- 7.1 There are no implications arising directly from this report.

8. Local Agenda 21 implications

- 8.1 Whilst there are no direct Local Agenda 21 implications arising directly from this report, development of Port Wirral may impact on the environment and quality of life of residents in Eastham Ward.

9. Planning implications

- 9.1 These are highlighted in the main text of the report.

10. Anti-poverty implications

- 10.1 There are no implications arising directly from this report.

11. Human Rights implications

- 11.1 There are no implications arising directly from this report.

12. Social Inclusion implications

- 12.1 There are no implications arising directly from this report.

13. Local Member Support implications

13.1 This report will be of interest to ward members in Eastham.

14. Background Papers

14.1 The following background paper has been used in the preparation of this report:

Ellesmere Port Waterfront Development Brief, November 2008, Ellesmere Port and Neston Borough Council

<http://www.epnbc.gov.uk/planning/ppp/epwaterfrontdevelopmentbrief.htm>

RECOMMENDATION

That the comments set out in Section 3 of this report which have formed the basis of the representations made by the Deputy Chief Executive/Director of Corporate Services, be endorsed. In particular, Wirral Council supports the principle of regeneration of Ellesmere Port waterfront. However, this should not harm the priorities in RSS policies LCR1 and LCR2, nor be achieved at the expense of the environmental conditions experienced by Wirral residents, or through any relocated port facilities having an adverse impact on internationally important habitats.

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